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## HISTORY OF THE AMERICAN REVOLUTION

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### § 1. *Settlement of British America.*

THE discovery of the western hemisphere, effected by the bold and persevering genius of Christopher Columbus, in the year 1492, gave a new impulse to European activity; and the splendid conquests of the Spaniards in the West Indies, and in South America, excited the emulation of the other maritime powers of Christendom. Our ancestors were not dilatory in their endeavours to enter upon this new path to glory and wealth; for we find that, in the year 1498, John Cabot, by virtue of a commission from Henry VII., took formal possession, in the name of that monarch, of a considerable portion of the continent of North America. No attempt, however, was made to establish a colony in that country till the reign of Queen Elizabeth, when Sir Humphrey Gilbert and Sir Walter Raleigh, in the years 1578 and 1584, formed settlements there, which were soon wasted by famine, by disease, and by the arrows of the natives, who, as heathens, were counted as nothing in the royal grants under which the adventurers acted. The first permanent British settlement was established in the reign of King James I., under whose auspices a company of adventurers built James Town, on the northern side of James River. This colony, however, continued for a long time in a feeble state. It was founded A. D. 1607; and, though it received continual accessions of new settlers, its population, in the year 1670, amounted to no more than 40,000 souls.

The Virginian colonists were prompted to quit their native country by the hope of bettering their temporal condition. A higher motive gave rise to the colonization of the northern portion of the new continent. After the passing of the Act of Uniformity, in the reign of Elizabeth, the Puritans had suffered a grievous persecution; to escape from which a small body of them had fled, in the year 1606, into Holland. Unwilling, however, entirely to sever themselves from the land which gave

them birth, they applied to their sovereign, King James, beseeching him to permit them to establish themselves in his North American dominions, in the full exercise of liberty in religious matters. With this their request, in its full extent, James refused to comply. All that they could obtain from him was a promise that he would connive at their infringements of the statutes, the operation of which had driven them into voluntary exile. On the faith of the royal word to this effect, they embarked, to the number of 101, in the month of September, 1620, and arriving at Cape Cod in the following November, soon afterwards fixed themselves in a place of settlement, which they called New Plymouth, and which, it must be observed to their honour, they purchased from the natives. Dreadful were the difficulties with which this handful of religionists had to struggle; landing as they did in the depth of winter, and exposed as they were, notwithstanding their conciliatory disposition, to the hostility of the natives. But, supported by the principles of piety, and determined, at any price, to purchase religious freedom, they maintained their ground; and being from time to time recruited by new migrations of their persecuted brethren, they, by degrees, spread themselves over the province of Massachusetts.

It too often happens that religion produces dissension, and that those who have suffered persecution, when they have obtained power, become persecutors themselves. This was the case with the principal inhabitants of the colony of Massachusetts. Falling into the common error of the times, in thinking that uniformity of sentiment on the subject of religious doctrines was required by the truth of the gospel, and by a regard to the peace and welfare of society, they established it as a rule of government, "that no man should be admitted to the freedom of their body politic, but such as were members of some of their churches;" and they afterwards passed a resolution, "that none

but such should share in the administration of civil government, or have a voice in any election." In this instance, however, as in many others, evil was productive of good. The discontented sectarians sought other settlements, and founded the colonies of Connecticut, Rhode Island, and New Hampshire.

Whilst the once persecuted Protestants thus gave a sad proof that their sufferings had not taught them mercy, it was reserved for a Roman Catholic nobleman to give to the new world a striking example of this happy docility. In the year 1632, Lord Baltimore obtained a charter for a new colony, the first settlers of which consisted chiefly of Roman Catholic gentlemen; and, having established his band of emigrants in Maryland, he so exerted his influence with the members of the assembly of the new province, that they laid it down as a fundamental principle of their constitution, "that no persons professing to believe in Christ Jesus should be molested in respect of their religion, or in the free exercise thereof." His lordship's enlightened policy was eminently successful. Under the nurture of religious liberty, his infant settlement soon advanced rapidly towards maturity.

In the reign of Charles II., royal charters of the most liberal tenor were granted to Connecticut, Rhode Island, and Providence Plantations; and patents were also granted to Lord Clarendon and the Duke of York, bestowing on the former a right to form plantations in the district now comprehending North and South Carolina and Georgia, and delegating to the latter the same right as respecting New York and New Jersey; and, finally, a patent was issued, authorizing the celebrated William Penn to colonize Pennsylvania and Delaware.

The English emigrants who settled in North America were a class of people very different from the Spaniards, who subdued the southern continent. They did not leave their native shores for the purpose of invading and plundering rich provinces and wealthy cities: but they sought prosperity by the painful arts of industry and economy. Purchasing land from the aborigines, they at first devoted themselves to the culture of the soil; and, in process of time, those who continued to reside on the sea-shore, or on the banks of navigable rivers, dedicated themselves to commerce. Their success in this pursuit is evinced by the

fact, that though in the year 1704 the imports of the province of Pennsylvania amounted only to 11,499*l.* sterling, in 1772 they were increased to the value of 507,909*l.*, and in the same year the whole of the exports from Great Britain to her North American colonies amounted to upwards of 6,000,000*l.* sterling.

Though each colony had its separate constitution, the principles of freedom pervaded them all. In some provinces the governors and the magistrates were elected by the people; and in those, the governors and chief officers of which were appointed by the crown, the power of these functionaries was controlled by assemblies, the members of which were chosen by the freeholders, who were too numerous to be bribed, and too independent in their circumstances to be swayed by influence. Throughout the whole of the union there was not found a single proprietor of a borough, nor an interest to nurture the principles of bigotry and passive obedience. When the first settlers took possession of the country, they brought with them all the rights of Englishmen, and those rights they were jealous in maintaining. Their interior concerns were regulated by their representatives in assembly; but in consideration of their origin, and of the protection against foreign enemies, which they received from the mother country, they cheerfully submitted to the obligation of exclusively trading with her, and of being bound by all the laws touching commerce which might be passed by the British parliament. The limits of the authority of parliament they were not critical in canvassing, with one exception, namely, claiming to be independent of that body in the matter of internal taxation. They maintained, conformably to one of the most established principles of the British constitution, that an assembly in which they were not represented had no right to burden them with imposts.

### § 2. *War of 1756.*

The growing power of the British colonies in America was strikingly evinced in the year 1745, when a force of 5000 men, raised and equipped by the single state of Massachusetts, and acting in concert with a British armament from the West Indies, took Louisbourg from the French. The success of this expedition so much excited the jealousy of the government of France, that, after the termination of

the war in which Louisbourg was taken, they dispossessed the Ohio Company of the settlements which it had formed on the river of that name, alleging that the territory in question was part of the dominions of his most Christian Majesty. It was on this occasion that George Washington, then a major in the Virginian militia, first drew his sword in hostility. At the head of 300 men he defeated a party of French; but being afterwards attacked by a superior force, he was obliged to surrender, receiving, however, honourable terms of capitulation.

A war with France now seeming inevitable, a general meeting of the governors and leading members of the provincial assemblies was held at Albany, in the state of New York. This meeting proposed, as the result of its deliberations, "that a grand council should be formed of members, to be chosen by the provincial assemblies; which council, together with a governor to be appointed by the crown, should be authorized to make general laws, and also to raise money from all the colonies, for their common defence." The British government seem to have viewed this proposal with jealousy, as a step towards independence. They disapproved of the projected mode of the election of the members of the council; nor were they satisfied with the plan of raising the requisite supplies by acts of the colonial legislatures; and they proposed that "the governors of all the colonies, attended by one or two members of their respective councils, should, from time to time, concert measures for the whole colonies; erect forts and raise troops, with a power to draw upon the British treasury in the first instance; but to be ultimately reimbursed by a tax to be laid on the colonies by act of parliament." This counter proposal was strenuously opposed by the colonists, who refused to trust their interests to governors and members of councils, since almost the whole of the former, and the great majority of the latter, were nominated by the crown. As to the plan of raising taxes in the colonies by the authority of the British parliament, they rejected it in the most peremptory manner. In the discussions which took place on this occasion, Dr. Franklin took an active part, and in a letter to Mr. Shirley, governor of Massachusetts, as Dr. Ramsay observes, "he anticipated the substance of a controversy, which for twenty years

employed the pens, tongues, and swords of both countries." In his correspondence with the governor, the American patriot intimated his apprehension, "that excluding the *people* from all share in the choice of the grand council, would give extreme dissatisfaction, as well as the taxing them by Act of Parliament, where they have no representation. It is," observes he, with equal candour and good sense—"it is very possible that this general government might be as well and faithfully administered without the people as with them; but where heavy burdens are to be laid upon them, it has been found useful to make it, as much as possible, their own act; for they bear better, when they have, or think they have, some share in the direction; and when any public measures are generally grievous, or even distasteful to the people, the wheels of government move more heavily." On the subject of the general characters of the governors of the colonies, to whom it was thus intended to delegate extraordinary powers, Dr. Franklin thus expressed himself, in terms well worthy the attention of all ministers who are invested with the appointment of such functionaries:—"Governors often come to the colonies merely to make fortunes, with which they intend to return to Britain; are not always men of the best abilities or integrity; have many of them no estates here, nor any natural connection with us, that should make them heartily concerned for our welfare; and might possibly be fond of raising and keeping up more forces than necessary, from the profits accruing to themselves, and to make provision for their friends and dependents." The opposition which their project experienced, induced the British government to withdraw it, and the colonies and the mother country for some time longer acted together in union and harmony. The consequence of this was, that under the vigorous administration of Mr. Pitt, the war, begun in 1756, was terminated by a treaty signed in 1763; according to the articles of which, Canada was ceded to Great Britain by France, and the two Floridas by Spain.

The North American colonies, in general, entered into the war of 1756 with such zeal, that some of them advanced funds for its prosecution to a greater amount than the quota which had been demanded of them by the British government. Others of them, however,

the state of Maryland for instance, had, from local and accidental causes neglected to contribute their share to the requisite supplies. This circumstance, in all probability, led British statesmen to wish to establish a system, by means of which the resources of the colonies might be made available without the necessity of the concurrence of their local legislatures. Accordingly, Mr. Pitt is said to have told Dr. Franklin, that, "when the war closed, if he should be in the ministry, he would take measures to prevent the colonies from having a power to refuse or delay the supplies which might be wanting for national purposes." This declaration is certainly at variance with the doctrines which Mr. Pitt maintained when the question of colonial taxation was afterwards discussed in parliament. But at the latter period that great statesman was no longer minister; and he is not the only politician who has held different language when in and when out of power.

§ 3. *Resolutions of the House of Commons, 10th March, 1764.*

Whatever might be the motives of their conduct, the British ministry, in the year 1764, began to manifest a narrow and jealous policy towards the North American colonies. For a long series of years the commerce of the eastern states had been most beneficially extended to the Spanish and French colonies; to which they transported great quantities of British manufactures, the profits on the sale of which were divided between themselves and their correspondents in the mother-country. This course of trade, though not repugnant to the spirit of the navigation laws, was contrary to their letter. Of this the British ministry took advantage; and by the activity of their revenue cutters, they put a stop to the traffic in question, to the detriment and ruin of many merchants, not only in America, but also in Great Britain. In September 1764, indeed, they caused an act to be passed, authorizing the trade between the North Americans and the French and Spanish colonies, but loading it with such duties as amounted to a prohibition, and prescribing that all offenders against the act should be prosecuted in the Court of Admiralty, where they were deprived of a trial by jury. As an accumulation of the grievances which the colonists felt from this act, its preamble contained

the following words of fearful omen: "Whereas it is just and necessary that a revenue be raised in America, for defraying the expenses of defending, protecting, and securing the same, We, the Commons, &c., towards raising the same, give and grant unto your Majesty," &c.

It is believed by competent judges that the colonists, however disposed to resent this encroachment on their constitutional rights, would have submitted without resistance to the provisions of the act as regulations of trade and commerce. But the ministry soon took a bolder step, by proceeding to impose a direct internal tax upon the colonies by authority of parliament. This measure was vindicated on the following grounds, that the pressure of the payment of the interest of the national debt weighed so heavily on the British community, that it was expedient that by every proper means this burden should be lightened; that a considerable portion of this debt had been contracted in the furnishing of supplies for the defence of the North American colonies; that it was just and reasonable that those colonies should contribute their proportion towards its liquidation; and that the authority of parliament was competent to bind them so to do. The idea of relieving the public burdens by the taxation of distant colonies, was, of course, very popular throughout the British nation; and so little was the right of parliament to impose such taxation at first questioned in Britain, that on the 10th of March, 1764, a resolution to the following effect passed the House of Commons, without any remark, "That towards farther defraying the said expenses, it may be proper to charge certain stamp duties in the said colonies and plantations." Nothing, however, was immediately done in pursuance of this resolution, as ministers were in hopes that the apprehension of the passing of an act founded on it would induce the colonists to raise a sum equivalent to the expected produce of such act, by bills passed in their respective legislative assemblies; but in these hopes they were disappointed. When intelligence of the resolution for laying a tax on stamps arrived in America, the colonists were filled with alarm and indignation. They declared internal taxation of the colonies by the authority of parliament to be an innovation and an infringement on their rights and liberties. If parliament was

authorized to levy one tax upon them, it was authorized to levy a thousand. Where, then, was the security of their property, or what protection could they expect for their dearest interests, from a body of men who were ignorant of their circumstances; between whom and themselves there was no bond of sympathy, and who, indeed, had a direct interest in removing the weight of taxation from their own shoulders to those of the colonists? They were entitled, they affirmed, to all the rights of British subjects, of which the most valuable was exemption from all taxes, save those which should be imposed upon them by their own freely-chosen and responsible representatives. Influenced by the feelings and motives implied in these declarations, instead of passing tax bills, they voted petitions and remonstrances to parliament and to the throne.

§ 4. *Stamp Act, March 22, 1765.*

The supplications and complaints of the colonists were disregarded. In the month of March, 1765, a bill for laying a duty on stamps in America was brought into the House of Commons by Mr. Grenville. This bill was supported by Mr. Charles Townsend, who is reported to have concluded his speech in its favour, in the following words:—"And now will these Americans — children planted by our care, nourished up by our indulgence, till they are grown to a degree of strength and opulence, and protected by our arms—will they grudge to contribute their mite to relieve us from the heavy weight of that burden which we lie under?" To this invurious appeal to the pride and the prejudices of the members of the House of Commons, Colonel Barré thus energetically replied:—"They planted by your care! No! your oppressions planted them in America. They fled from your tyranny to a then uncultivated and inhospitable country, where they exposed themselves to almost all the hardships to which human nature is liable, and, among others, to the cruelty of a savage foe, the most subtle, and, I will take upon me to say, the most formidable of any people upon the face of God's earth; and yet, actuated by principles of true English liberty, they met all hardships with pleasure, compared with those they suffered in their own country, from the hands of those who should have been their friends. They nourished up by your indulgence! they grew by your

neglect of them. As soon as you began to care for them, that care was exercised in sending persons to rule them in one department and another, who were, perhaps, the deputies of deputies to some members of this house, sent to spy out their liberties, to misrepresent their actions and to prey upon them—men whose behaviour, on many occasions, has caused the blood of those sons of liberty to recoil within them—men promoted to the highest seats of justice; some who, to my knowledge, were glad, by going to a foreign country, to escape being brought to the bar of a court of justice in their own. They protected by your arms! they have nobly taken up arms in your defence, have exerted their valour, amidst their constant and laborious industry, for the defence of a country whose frontier was drenched in blood, while its interior parts yielded all its little savings to your emolument. And, believe me, remember I this day told you so, that same spirit of freedom which actuated that people at first, will accompany them still; but prudence forbids me to explain myself further. God knows I do not at this time speak from any motives of party heat; what I deliver are the genuine sentiments of my heart. However superior to me, in general knowledge and experience, the respectable body of this House may be, yet I claim to know more of America than most of you, having seen, and been conversant with that country. The people, I believe, are as truly loyal as any subjects the king has, but a people jealous of their liberties, and who will vindicate them, if ever they should be violated. But the subject is too delicate—I will say no more."

In the House of Lords the Bill met with no opposition; and on the 22nd of March it received the royal assent. In adopting the stamp act as a method of taxing the colonies, ministers flattered themselves that the nullity of all transactions in which the stamps prescribed by the new law were not used would insure its execution. In this confidence they postponed the commencement of its operation to the month of November, 1767. This was a fatal error on their part. Had they prescribed its enforcement immediately on its arrival in America, the colonists might, in their consternation, have been awed into compliance with its provisions; but the long interval between its arrival and its execution, gave them ample time to organize their

opposition against it. Of this they fully availed themselves. On the 28th of May, the assembly of Virginia passed strong resolutions against the stamp act, the substance of which was readily adopted by the other provincial legislatures. Popular pamphlets were published in abundance in reprobation of the power thus assumed by the British parliament: and the proprietors of newspapers, whose journals were destined to be burdened with a stamp duty, raised against the obnoxious statute a cry which resounded from Massachusetts to Georgia. The oppressive measures of ministers were canvassed in town-meetings and in every place of public resort; and the limits of the obedience due to the parent country were freely and boldly discussed in every company. In these proceedings the colony of Virginia led the way, by passing in the house of burgesses, at the motion of Mr. Patrick Henry, the following resolutions:—1st. “That the first adventurers—settlers of this his Majesty’s colony and dominion of Virginia—brought with them, and transmitted to their posterity, and all other his Majesty’s subjects, since inhabiting in this his Majesty’s said colony, all the liberties, privileges, and immunities that have at any time been held, enjoyed, and possessed by the people of Great Britain;”—2dly, “That by two royal charters, granted by King James I., the colonies aforesaid are declared to be entitled to all liberties, privileges, and immunities of denizens, and natural subjects, to all intents and purposes, as if they had been abiding and born within the realm of England;”—3dly, “That his Majesty’s liege people of this his ancient colony have enjoyed the right of being thus governed by their own assembly, in the article of taxes and internal police, and that the same has never been forfeited or yielded up, but been constantly recognized by the king and people of Britain;”—4thly, “Resolved, therefore, that the general assembly of this colony, together with his Majesty or his substitutes, have, in their representative capacity, the only exclusive right and power to lay taxes and imposts upon the inhabitants of this colony, and that every attempt to vest such power in any other person or persons whatsoever than the general assembly aforesaid, is illegal, unconstitutional and unjust, and hath a manifest tendency to destroy British as well as American liberty;”—5thly, “Resolved,

that his Majesty’s liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatever upon them, other than the laws or ordinances of the general assembly aforesaid;”—6thly, “Resolved, that any person who shall, by speaking or writing, assert or maintain that any person or persons, other than the general assembly of this colony, have any right or power to impose, or lay any taxation on the people here, shall be deemed an enemy to this his Majesty’s colony.”

The heat engendered by the debates, which in various colonies issued in resolutions to the tenor of the foregoing, at length broke out in acts of violence. The populace of Boston attacked the houses of the officers of government, and destroyed their furniture. Similar excesses took place in some of the other colonies; and the general antipathy of the public against the act sheltered the perpetrators of these outrages from punishment.

These ebullitions were followed by more regular and more effective proceedings on the part of the American patriots. On the 6th of June the assembly of Massachusetts, sensible of the necessity of union to the maintenance of their rights and liberties, invited the other colonial legislative bodies to send deputies to a general congress to be holden at New York on the second Tuesday of October, for the purpose of deliberating on the steps necessary to be taken in the existing circumstances. This summons was readily answered by all the colonies, except those of Virginia, North Carolina, and Georgia, which, however, heartily approved of the purposed measure, but were prevented by their respective governors from meeting for the purpose of electing deputies to attend the congress. The representatives of nine colonies met at the time and place appointed, and after mature deliberation agreed upon a declaration of their rights and a statement of their grievances, and also drew up and signed petitions to the king and to both houses of parliament. Similar steps were taken individually by the colonies which had been prevented from sending deputies to the congress.

§ 5. *Repeal of the Stamp Act, 10th March, 1766.—New attempt at taxation, and resistance to the same.*

The first of November, the day on which

the stamp act was to commence its operation, was ushered in throughout the colonies by the funereal tolling of bells. In the course of the day various processions and public exhibitions were made, all indicative of the abhorrence in which the detested statute was universally held. By common consent, the act was utterly disregarded, and not a stamp was bought to legalize any transaction. Nor did the Americans content themselves with this sullen opposition to the measures of ministers. They entered into solemn resolutions not to import any British manufactured goods till the stamp act was repealed; and an association was formed to oppose the act by force of arms. The latter step had no immediate effect; but the non-importation agreement brought such distress upon the British manufacturers, that they besieged parliament with petitions against the measures which had been adopted for the taxing of the colonies. Thus assailed by the clamours of the colonists and by the complaints of the suffering British merchants, his Majesty's government, at the head of which was now placed the Marquess of Rockingham, for a time wavered at the view of the unpleasant alternative which was set before them, of either repealing or enforcing the obnoxious statute. The former measure was grating to the pride of the nation at large, and the latter evidently involved in its prosecution the danger of a civil war. During this period of hesitation, the state of the colonies was frequently discussed in parliament. It was, in particular, the prominent subject of debate at the opening of the session on the 17th of December, 1765. On this occasion Mr. Pitt seems to have exerted all the energies of his powerful mind to avert the mischiefs which he beheld impending over his country. "It is a long time, Mr. Speaker," said he, "since I have attended in parliament. When the resolution was taken in the house to tax America, I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequences, I would have solicited some kind hand to have laid me down on this floor, to have borne my testimony against it. It is now an act that has passed; I would speak with decency of every act of this house, but I must beg the indulgence of the house to speak of it with freedom. I hope a day may be soon appointed to consider the

state of the nation with respect to America. I hope gentlemen will come to this debate with all the temper and impartiality that his Majesty recommends, and the importance of the subject requires—a subject of greater importance than ever engaged the attention of this House, that subject only excepted, when, nearly a century ago, it was the question whether you yourselves were to be bound or free. In the mean time, as I cannot depend upon health for any future day, such is the nature of my infirmities, I will beg to say a few words at present, leaving the justice, the equity, the policy, the expediency of the act to another time. I will only speak to one point—a point which seems not to have been generally understood—I mean to the right. Some gentlemen seem to have considered it as a point of honour. If gentlemen consider it in that light, they leave all measures of right and wrong, to follow a delusion that may lead to destruction. It is my opinion that this kingdom has no right to lay a tax upon the colonies. At the same time I assert the authority of this kingdom over the colonies to be sovereign and supreme in every circumstance of government and legislation whatsoever. They are the subjects of this kingdom, equally entitled with yourselves to all the natural rights of mankind, and the peculiar privileges of Englishmen. Equally bound by its laws, and equally participating of the constitution of this free country, the Americans are the sons—not the bastards of England. Taxation is no part of the governing or legislative power. The taxes are a voluntary gift and grant of the Commons alone. In legislation the three estates of the realm are alike concerned; but the concurrence of the peers and the crown to a tax is only necessary to close with the form of a law. The gift and grant is of the Commons alone. In ancient days the crown, the barons, and the clergy possessed the lands. In those days the barons and clergy gave and granted to the crown. They gave and granted what was their own. At present, since the discovery of America, and other circumstances admitting, the Commons are become the proprietors of the land. The crown has divested itself of its great estates. The church (God bless it!) has but a pittance. The property of the Lords, compared with that of the Commons, is as a drop of water in the ocean; and this house

represents those Commons, the proprietors of the lands; and those proprietors virtually represent the rest of the inhabitants. When, therefore, in this house we give and grant, we give and grant what is our own. But in an American tax what do we do? 'We, your Majesty's Commons of Great Britain give and grant to your Majesty'—what?—our own property?—No! We give and grant to your Majesty the property of your Majesty's Commons of America! It is an absurdity in terms.' "There is," said Mr. Pitt, towards the close of his speech—"there is an idea in some, that the colonies are virtually represented in this House. I would fain know by whom an American is represented here? Is he represented by any knight of the shire in any county in this kingdom? Would to God that respectable representation was augmented to a greater number! Or will you tell him that he is represented by any representative of a borough—a borough which, perhaps, no man ever saw. This is what is called the rotten part of the constitution. It cannot continue a century—if it does not drop it must be amputated. The idea of a virtual representation of America in this House is the most contemptible idea that ever entered into the head of a man." Mr. Pitt concluded by declaring it as his opinion, that whilst the Americans were possessed of the constitutional right to tax themselves, Great Britain, as the supreme governing and legislative power, had always bound the colonies by her laws, by her regulations and restrictions in trade, in navigation, in manufactures, in every thing except that of taking their money out of their pockets without their consent. Of this broad assertion, of the extent of British power over the colonies, Mr. Grenville, the patron of the Stamp Act, took advantage, and maintained that there was no difference in principle between the right to impose external and internal taxation. He asserted that the protection from time to time afforded to America by Britain was a just ground of claim to obedience on the part of the latter from the former, and asked when America was emancipated from the allegiance which she owed to the parent state? Provoked by Mr. Grenville's sophistry, and irritated by his insolence of tone and manner, Mr. Pitt gave utterance to the following declaration—a declaration, no doubt, well calculated

to animate the spirit of freedom on the other side of the Atlantic. "The gentleman tells us that America is obstinate; America is almost in open rebellion. **I REJOICE THAT AMERICA HAS RESISTED.** Three millions of people, so dead to all the feelings of liberty, as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest of their fellow subjects."

Thus did Mr. Pitt plead the cause of the colonies with all the fervour of commanding eloquence. In the course of a few days the same cause was maintained by Dr. Franklin, on the plain and unadorned, but convincing principles of common sense. In the month of February, that celebrated philosopher was examined at the bar of the House of Commons touching the state of America, and the probable effect upon the inhabitants of that country of the imposition of stamp duties. In this examination he evinced an accurate and extensive knowledge of facts—of facts which were calculated to convince any reasonable mind that it was morally impossible to enforce the Stamp Act in the colonies; and that an attempt to effect that object would be productive of the worst consequences to the prosperity of Britain. The train of interrogatories furnished, of course, by himself, afforded him an opportunity of stating his opinions in his accustomed clear and simple manner; and the cross-examination which he underwent on the part of members hostile to the claims of the colonies, gave an occasion for the display of that coolness of temper and promptitude of perception by which he was distinguished. His examination concluded with the following pithy questions and replies:—*Q.* What used to be the pride of the Americans? *A.* To indulge in the fashions and manufactures of Great Britain. *Q.* What is now their pride? *A.* To wear their old clothes over again till they can make new ones.

The distresses of the commercial and manufacturing interests now co-operating with parliamentary arguments and eloquence, the new ministers, who were not so deeply committed as their predecessors on the subject of the Stamp Act, at length made up their mind to give way. Before the examination of Dr. Franklin, indeed, viz. on the 21st of January, 1766, a motion had, under their auspices, been made in the Commons in a committee of the whole

House to the following effect:—"That it is the opinion of the committee, that the House be moved, that leave be given to bring in a bill to repeal an act passed in the last session of parliament, entitled 'An Act for granting and applying certain Stamp Duties, and other Duties in the British Colonies and Plantations in America towards farther defraying the expenses of defending, protecting, and securing the same, and for amending such parts of the several acts of parliament relating to the trade and revenues of the said colonies and plantations, as direct the manner of determining and recovering the penalties and forfeitures therein mentioned.' " To this resolution the advocates of the obnoxious statute moved an amendment, by which it was proposed to leave out the word "repeal," and insert "explain and amend." But this amendment was rejected by a majority of 118.

On the 24th of February, the above-mentioned proceedings were confirmed by the passing a resolution similar to the foregoing one, but with a view, no doubt, of saving the dignity of the nation and of his Majesty's government, this second resolution was accompanied by others, approving of the conduct of such of the colonists as had used their best exertions for the enforcement of the Stamp Act in America; indemnifying those "who by reason of the tumults and outrages in North America had not been able to procure stamped paper since the passing of the Act for laying certain duties on stamps in the colonies, and had incurred penalties and forfeitures, by writing, ingrossing, or printing on paper, vellum, or parchment, not duly stamped, as required by the said Act." A Bill, founded on these resolutions, was accordingly brought into the House. This Bill, after warm debates, passed both Houses of Parliament, and received the Royal Assent on the 16th of March, 1766. The ostensible grounds for the adoption of this measure, as expressed by the preamble to the Act, was the inexpediency of the tax on stamps, and by way of guardedly reserving the main point in question, namely, the right of the British parliament to impose internal taxes on the colonies, the Repeal Act was accompanied by a declaratory act in which it was asserted, "that the Parliament had, and of right ought to have, power to bind the colonies in all cases whatsoever."

This broad and unqualified claim on the part of the British legislature was little calculated to satisfy such of the American colonists as had maintained the struggle against the British ministry upon deep and well considered principle. These, no doubt, regarded it with suspicion and dislike, as containing the germ of future encroachments upon their rights and privileges. But it seems to have made little impression upon the minds of the American public. In their joy for the repeal of the Stamp Act, and in their eagerness to resume their ordinary occupations, the colonists regarded it as a harmless sally of wounded pride, and cheerfully renewed their commercial intercourse with the mother country.

But the evil genius of Britain still fostered in the cabinet the idea of raising a revenue in America. Lord Rockingham having been superseded by the Duke of Grafton, Charles Townsend, the then chancellor of the exchequer, brought into the House of Commons, in the year 1767, a bill, which was quickly passed into a law, for granting duties in the British colonies on glass, paper, painter's colours, and tea. This proceeding again kindled a blaze throughout the provinces. In their estimation, it proved that the declaratory act was not intended to be a dead letter, and it gave rise to bold and acute discussions as to the distinction between tax bills and bills for the regulation of trade. To add to the alarm of the colonists, a board of commissioners of customs was established at Boston, which step convinced them that the British government intended to harass them with a multiplicity of fiscal oppressions. They therefore again had recourse to petitions, remonstrances, and non-importation agreements. The seizure of the sloop Liberty, belonging to Mr. Hancock, a popular leader, for an infringement of the revenue laws, incited the populace of Boston to renewed acts of violence, which drove the commissioners of the customs to take shelter in Castle William. To suppress this spirit of insubordination, his Majesty's ministers stationed some armed vessels in the harbour, and quartered two regiments of foot in the town of Boston. The intention of the British government to send this force to Boston having been announced, the select men of ninety-six towns of the state of Massachusetts, met at Faneuil hall, in that town; but this assembly,

which had excited great alarm among the friends of government, merely recommended moderate measures, and then dissolved itself. The day after the breaking up of this convention, the troops arrived, and landed without opposition under the protection of the guns of the armed vessels in the harbour.

The intelligence of the refractory spirit thus manifested by the inhabitants of Boston, produced such irritation in the British parliament, that in February, 1769, both Houses concurred in an address to his Majesty, prompting him to vigorous measures against all persons guilty of what they were pleased to denominate treasonable acts; and beseeching him, in pursuance of the powers contained in an obsolete statute of the 35th of Henry VIII., to seize the offenders, and cause them to be tried by a special commission within the realm of Great Britain. This imprudent suggestion was encountered by strong resolutions on the part of the provincial assemblies; and the colonists again had recourse to non-importation agreements, and, in some instances, sent back to Great Britain cargoes of goods which had actually arrived. Thus the distresses of the British manufacturers were renewed; and ministers were induced, by their earnest remonstrances, to repeal all the newly imposed duties, except that on tea. This reservation being a practical assertion of the right of Parliament to impose internal taxes on the American States, was very odious to the colonists, who, however, relaxed their associations so far as to allow the importation of all articles except tea, the use of which commodity they forebore, or supplied themselves with it by smuggling.

*§ 6. Petition and Remonstrance, 1773.*  
Thus was tranquillity restored to most of the colonies. But the presence of the troops in the town of Boston was a perpetual source of irritation in the province of Massachusetts. The Bostonians regarded the soldiers with an evil eye, as the instruments of tyranny designed to be used for the destruction of their liberties, and availed themselves of every opportunity which occurred to annoy and insult them. In resisting a violent act of aggression, a party of the military were obliged to fire on the populace, of whom three were killed, and five dangerously wounded. In times of public excitement, nothing is more

irritating to the populace, and nothing more painful to men of cultivated minds, than the interference of the military. When that interference is attended with fatal consequences, the frenzy of the people rises to the utmost height. Such was the case with the inhabitants of Boston. On hearing of the melancholy event, some obscure individuals caused the drums to beat to arms, and the townsmen assembled to the amount of some thousands. They were, however, happily appeased by the intervention of several patriotic leaders, whose zeal was allayed by prudence, and in consequence of whose interference with the Lieutenant-Governor the obnoxious troops were sent out of the town. Artful means were, however, resorted to for the purpose of keeping alive their resentment. On the morning of the day appointed for the burial of the slain most of the shops in Boston were shut. The bells of that town, of Charleston, and Roxburg, rung out muffled peals. Mournful processions moving from the houses of the murdered dead, as they who had fallen by the fire of the military were denominated, united with the corpses at the spot where they had met their fate. Here, forming into a body, they marched six a-breast, followed by the carriages of the gentry, through the main streets to the place of interment.

Immediately after the affray which was productive of such sad consequences, Captain Preston, the officer who commanded the party who had fired upon the people, had been committed to prison, together with a number of private soldiers who were implicated in that act. The firing had taken place on the 5th of March, and though the trial of the accused did not take place till the following November, there might have been reason to apprehend that, in appearing, for a decision on a case of life and death, before a Boston jury, they would run the greatest hazard of falling victims to infuriated prejudice. But, in this instance, the Bostonians gave evidence of their English descent. In capital cases, Englishmen, in modern times at least, have almost uniformly exercised an impartial administration of the law. Such was the temper which was manifested by the court and jury on the trial of Captain Preston and his comrades. After a patient investigation of the case, all the prisoners were acquitted of murder, and two, being found guilty of manslaughter, were immediately burnt

in the hand and discharged. It is a fact not to be omitted, that they were defended, and zealously defended, by the celebrated John Adams and Josiah Quincy, than whom there did not exist more ardent advocates of the cause of American freedom. The former of these gentlemen, in warning the jury against giving way to popular impressions, expressed himself in the following energetic terms:—"The law, in all vicissitudes of government, fluctuations of the passions, or flights of enthusiasm, will preserve a steady, undeviating course: it will not bend to the uncertain wishes, imaginations, and wanton tempers of men. To use the words of a great and worthy man, a patriot and a hero, an enlightened friend to mankind, and a martyr to liberty—I mean Algernon Sidney—who, from his earliest infancy, sought a tranquil retirement under the shadow of the tree of liberty, with his tongue, his pen, and his sword,—‘The law,’ says he, ‘no passion can disturb. It is void of desire and fear, lust and anger. It is *mens sine affectu*; written reason; retaining some measure of the divine perfection. It does not enjoin that which pleases a weak, frail man, but, without any regard to persons, commands that which is good, and punishes evil in all, whether rich or poor, high or low. It is deaf, inexorable, inflexible.’ Yes,” said Mr. Adams, “on the one hand, it is inexorable to the cries and lamentations of the prisoners; on the other, it is deaf, deaf as an adder, to the clamours of the populace.”

Notwithstanding this firmness on the part of the counsel for the prisoners, and notwithstanding the impartiality of the jury and of the judge, which latter, in his summing up on the trial of Captain Preston, did not hesitate to say,—“I feel myself deeply affected that this affair turns out so much to the shame of the town in general,” ministers took advantage of the disturbed state of the public mind, by making it a pretext for rendering the governor and judges of Massachusetts independent of the province, by transferring the payment of their salaries from the assembly to the crown. In consequence of this proceeding, Governor Hutchinson, who had never been popular, became still more than ever an object of dislike. Such being the disposition of the people of Massachusetts towards their chief magistrate, their indignation against him

was raised to the highest pitch in the year 1773 by an incident, the consequences of which had a most unhappy aspect on the fortunes of Great Britain. The servants of government naturally look with a jealous eye upon the bold assertors of popular rights; and as naturally imagine that they shall most gratify their masters by the recommendation of a steady and active resistance against what they are apt to deem the encroachments of popular claims. In this spirit Mr. Hutchinson and Mr. Oliver, the former the Governor and the latter Lieutenant-Governor of the colony of Massachusetts, had addressed some letters to individuals who had put them into the hands of his Majesty’s ministers, in which letters they vituperated the American patriots, called upon government to adopt more vigorous measures than they had hitherto done in support of their authority, recommended restraints upon liberty and an infringement of charters, and even the “taking off” of the principal opponents to British domination. These letters having come into the possession of Dr. Franklin, he thought it his duty, as agent of the House of Representatives of Massachusetts, to send them to his constituents. Their perusal excited, as might have been expected, the indignation of the Assembly, the members of which unanimously resolved, “That the tendency and design of the said letters was to overthrow the constitution of this government, and to introduce arbitrary power into the province;” and, moreover, passed a vote, “that a petition should be immediately sent to the King, to remove the Governor, Hutchinson, and the Lieutenant-Governor, Oliver, for ever from the government of the province.” Dr. Franklin, after having transmitted the petition in question to Lord Dartmouth, the then Colonial Secretary, appeared to support it in person at the Council Chamber on the 11th of January, 1774; but, finding that he was to be encountered by counsel employed on behalf of the accused functionaries, he prayed that the hearing of the case might be adjourned for the space of three weeks, which was granted him. In the mean time speculation was all alive as to the means by which Dr. Franklin had obtained possession of the letters; and a Mr. Whateley and a Mr. Temple, both connected with the colonial office, mutually suspecting each other of the unfaithful communication of them, a corre-

spondence took place between those gentlemen, which ended in a duel, in which Mr. Whateley was dangerously wounded. For the prevention of further mischief of this sort, Dr. Franklin published, in the "Public Advertiser," a letter exonerating both the combatants from blame in this case, and taking the whole responsibility of the procuring the documents on himself. When the Doctor appeared again before the council in support of the Massachusetts petition, he was assailed by Mr. Wedderburne, who acted for the Governor and the Lieutenant Governor, in terms of most elaborate abuse. "The letters," said the caustic advocate, "could not have come to Dr. Franklin by fair means. The writers did not give them to him, nor yet did the deceased correspondent. Nothing, then, will acquit Dr. Franklin of the charge of obtaining them by fraudulent or corrupt means, for the most malignant of purposes; unless he stole them from the person that stole them. This argument is irrefragable. I hope, my Lords, you will mark and brand the man, for the honour of this country, of Europe, and of mankind. Private correspondence has hitherto been held sacred in times of the greatest party rage, not only in politics, but religion. He has forfeited all the respect of societies and of men. Into what companies will he hereafter go with an unembarrassed face, or the honest intrepidity of virtue? Men will watch him with a jealous eye—they will hide their papers from him, and lock up their escrutoirs. He will henceforth esteem it a libel to be called a man of letters—*homo trium literarum*\*. But he not only took away the letters from one brother, but kept himself concealed till he nearly occasioned the murder of the other. It is impossible to read his account, expressive of the coolest and most deliberate malice, without horror. Amidst these tragical events, of one person nearly murdered, of another answerable for the issue, of a worthy governor hurt in his dearest interests, the fate of America in suspense,—here is a man, who, with the utmost insensibility of remorse, stands up and avows himself the author of all. I can compare it only to *Zanga* in Dr. Young's *Revenge*—

..... 'Know, then, 'twas—I ;  
I forged the letter; I disposed the picture.  
I hated, I despised, and I destroy.'

I ask, my Lords, whether the re-

\* Fur, thief.

vengeful temper attributed, by poetic fiction only, to the bloody African, is not surpassed by the coolness and apathy of the wily American?" Less fervid eloquence than this of Mr. Wedderburne's would have been sufficient to sway the decision of the council, who declared the petition of the Massachusetts Assembly to be scandalous and vexatious. Franklin was dismissed from the office which he held of postmaster-general of the colonies. Wedderburne was afterwards advanced in his profession till he attained the chancellorship and a peerage; and George III. lost thirteen provinces. Till this moment Franklin had laboured for conciliation; but though, during the time of the hearing of the arguments before the council, he preserved his countenance unmoved, the insults of Wedderburne so exasperated his feelings, that when he left the council-room he declared to his friend Dr. Priestley, who accompanied him on this memorable occasion, that he would never again put on the clothes which he then wore till he had received satisfaction. He dressed himself in this "well-saved" suit when he signed at Paris the treaty which for ever deprived the crown of Great Britain of its dominion over the United States. It is only within these seven years that it has been ascertained, that governor Hutchinson's letters were put into Franklin's hands by a Dr. Williamson, who, without any suggestion on his part, had procured them by stratagem from the office where they had been deposited\*.

#### § 7. *Boston Port Act, and Repeal of the Charter of Massachusetts.*

The determination of the colonists to use no tea which had paid duty was so generally persevered in, that seventeen millions of pounds of that commodity were accumulated in the warehouses of the East India Company. With a view of getting rid of this stock, and at the same time of aiding ministers in their project of taxing the North American colonies, the Company proposed that a law should be passed authorizing them to receive a drawback of the full import duties on all teas which they should export. To this proposal the British government agreed, in hopes that, as by this arrangement the colonists, on paying the duty of three-pence per pound on the landing of the tea in their

\* This curious fact is stated, with many particulars, in a Memoir of Dr. Williamson, by Dr. Hosack, of New York,

harbours, would be able to buy it at a cheaper rate than they could do from the contraband dealers, their patriotic scruples would be silenced by their love of gain. In this notion, however, ministers were mistaken. Strong resolutions were entered into throughout the provinces, declaring, that whosoever should aid or abet in landing or vending the tea which was expected, ought to be regarded as an enemy to his country; and that committees should be appointed to wait on the agents of the East India Company, and to demand from them a resignation of their appointments. Terrified by these proceedings, a great majority of the consignees complied with this requisition; but in Massachusetts these agents, being the relatives and friends of the governor, and expecting to be supported by the military force stationed in Boston, were determined to land and offer for sale the obnoxious commodity. As the tea ships were lying in the harbour, ready to land their cargoes, the leading patriots, apprehensive that, if the tea were once warehoused, the opposition of the people to its sale might gradually give way, and deeming decisive measures absolutely necessary in the present circumstances, boarded the vessels, and emptied the tea chests into the water.

The British ministry rejoiced that this outrage had occurred, and that it had occurred in the town of Boston, which they had long regarded as the focus of sedition, from whence a spirit of resistance to British authority was diffused throughout the colonies. It now lay at their mercy, as having been guilty of a flagrant delinquency, and as meriting exemplary punishment. Determined to chastise its mutinous inhabitants for their numerous delinquencies, and to bend them to submission, Lord North, then prime minister, on the 14th of March, made a motion in the House of Commons, "That leave be given to bring in a bill for the immediate removal of the officers concerned in the collection and management of his Majesty's duties and customs from the town of Boston, in the province of Massachusetts bay in North America; and to discontinue the landing and discharging, lading and shipping of goods, wares, and merchandize, at the said town of Boston, or within the harbour thereof." The deep silence which followed the annunciation of this motion

marked the sense of the House as to the serious consequences which it involved; but it met with no opposition, except on the part of Alderman Sawbridge and Mr. Dowdswell. Even Colonel Barré, the great advocate of the rights of the colonies, spoke in favour of it, and it passed without a division. No debate occurred on the first reading of the Bill on the 18th of March; and the second reading, which took place on the twenty-first of the same month, was only interrupted by a few adverse remarks made by Mr. R. Fuller. On the twenty-fifth, a petition was presented against the bill, signed by several natives of North America, at that time resident in London; after the reading of which the House discussed its provisions in Committee. Mr. Fuller availed himself of this occasion to move, that, instead of the closing of the port of Boston, which measure, he argued, would be detrimental, not only to American, but also to British interests, a fine should be imposed on the offending community. This amendment was opposed by the prime minister, who said, that he was no enemy to lenient measures, but that it was evident that, with respect to the inhabitants of Boston, resolutions of censure and warning would avail nothing—that it was then the time to stand out, to defy them, to proceed with firmness and without fear, and that they would never reform till severe measures were adopted. With a lamentable want of foresight his lordship thus proceeded: "I hope that we every one feel that this is the common cause of us all; and unanimity will go half way to the obedience of the people of Boston to this bill. The honourable gentleman tells us, that the act will be a piece of waste paper, and that an army will be required to put it into execution. The good of this act is, that four or five frigates will do the business without any military force." With a similar blindness to futurity, Mr. Charles Jenkinson exclaimed, "We have gone into a very expensive war for the attainment of America; the struggle which we shall now have to keep it will be of little expense." Thus rash and short-sighted are statesmen when their passions obtain the mastery over their judgment! After a lengthened debate, in the course of which the bill was powerfully opposed by Mr. Burke and Mr. Dowdswell, it passed the Commons with but very few negatives; and havin

been hurried through the House of Lords, it finally received the Royal Assent, and was passed into a law.

The Boston Port Act was speedily followed by still more alarming measures. The free constitutions of the American provinces had presented strong impediments against the views of his Majesty and his ministers. Among these, the charter of Massachusetts was pre-eminent for the liberality of its principles. Being well aware, that whilst this charter subsisted he could never effectuate his designs, Lord North determined to set it aside. When Charles II. deemed it necessary for his purposes to abrogate the franchises of the city of London, and of other corporate towns in England, he attacked their charters by *quo warrantos*; but the process of law is tedious, and in this case the issue of legal proceedings might be uncertain. The minister, therefore, decided upon bringing the omnipotence of parliament to bear upon the contumacious inhabitants of the offending colony. Accordingly, on the 28th of March, 1774, on the allegation that an executive power was wanting in the province of Massachusetts, and that it was highly necessary to strengthen the hands of its magistracy, he proposed to bring in a bill, authorizing the Governor for the time being to act as a justice of the peace, and empowering him to appoint at his will and pleasure the officers throughout the whole civil authority, such as the provost marshal and the sheriffs, to which latter officers was to be delegated the nomination of juries, who had formerly been elected by the freeholders and inhabitants of the several towns of the province. It was also his lordship's intention to vest in the crown the appointment of the council, which, under the provisions of the ancient constitution, had heretofore been elected by the general court. The latter provision was introduced into the bill at the suggestion of Lord George Germaine, who was pleased to say that "he would not have men of a mercantile cast every day collecting themselves together, and debating about political matters; he would have them follow their occupations as merchants, and not consider themselves as ministers of that country." In pursuance of this suggestion, which was thankfully received by the premier, there were added to the bill severe restrictions on the holding of public town's

meetings. Leave was given to bring in the bill without a single objection, except on the part of Mr. Byng, the Member for Middlesex; and though, in its progress through the House of Commons, many weighty arguments were urged against it, especially by Governor Pownall and Mr. Dowdswell, it was carried on the second of May by a majority of 239 against 64 voices. In the House of Lords it was severely animadverted upon; but a division of 92 to 20 evinced that the majority of the peers of the realm entered heartily into the views of the ministry as to coercing the American colonies. The Duke of Richmond, however, and eleven other peers, protested against it for the following reasons, "Because, before the rights of the colony of Massachusetts Bay, which they derive from their charter, are taken away, the definite legal offence by which a forfeiture of their charter is incurred ought to have been clearly stated, and the parties heard in their own defence; and the mere celerity of a decision against it will not reconcile the minds of the people to that mode of government which is to be established upon its ruins. On the general allegations of a declaratory preamble, the rights of any public body may be taken away, and any visionary scheme of government substituted in their place. By this bill, the governor and council are invested with dangerous powers, unknown to the British constitution, and with which the King himself is not intrusted. By the appointment and removal of the sheriff at pleasure, they have the means of returning such juries as may best suit with the gratification of their passions and their interests; the life, liberty, and property of the subject are put into their hands without control. The weak, inconsistent, and injudicious measures of the ministry have given new force to the distractions of America, which, on the repeal of the Stamp Act, were subsiding; have revived dangerous questions, and gradually estranged the affections of the colonies from the mother-country. To render the colonies permanently advantageous, they must be satisfied with their condition, that satisfaction there is no chance of restoring, but by recurring to the principles on which the repeal of the Stamp Act was founded."

The Boston Port Act, and the Act for Remodelling the Constitution of Massachusetts, were strong and severe mea-

sures—measures which, it might have been conceived, would have set at rest any common jealousy of popular rights, and satisfied any ordinary thirst for vengeance. But, whilst these acts were in progress, the British prime minister held in reserve another vial of wrath to pour on the heads of the refractory colonists. On the 15th of April, he rose in his place and proposed a third bill, which, he hoped, would effectually secure the province of Massachusetts Bay from future disturbances. The tenor of this bill, which bore the plausible title of a bill “for the impartial administration of justice,” was, that “in case of any person being indicted for murder or any other capital offence committed in the province of Massachusetts in aiding the magistracy, the governor might send the person so indicted to another colony or to Great Britain for trial”—the act to continue in force for four years. It was observed, that whilst Lord North was moving the House for leave to bring in this bill, and was attempting, in a short speech, to enforce its necessity, his voice faltered. This is not matter of surprise. His lordship was a good tempered and humane man; and it must have been repugnant to his better feelings to become the organ for the proposing of such atrocious measures. The introduction of this bill roused in opposition to it the energies of Colonel Barré, who had, however unwillingly, acquiesced in the preceding laws of coercion. He saw clearly the drift of the proposed statute, and was well aware that the colonists would not submit to it. “You may,” said he, “think that a law founded on this motion will be a protection to the soldier who imbrues his hand in the blood of his fellow-subjects. I am mistaken if it will. Who is to execute it? He must be a bold man, indeed, who will make the attempt. If the people are so exasperated, that it is unsafe to bring the man who has injured them to trial, let the governor who withdraws him from justice look to himself. The people will not endure it; they would no longer deserve the reputation of being descended from the loins of Englishmen if they did endure it.” Such was the bold language of an experienced soldier, who knew America well. But this warning voice was raised in vain. The views of the Court were adopted by both Houses of Parliament, and this last and most unconstitutional measure of coercion was passed into a law.

It might seem just and equitable that compensation should be made by a delinquent community for property destroyed within its precincts, and not unreasonable that a town which had perpetrated an open violation of fiscal law should be deprived, till it was reduced to a better spirit, of the privileges of a port. Nor is it improbable that, had the British ministry proceeded no farther in their measures of vengeance, the other commercial cities of the colonies would have regarded the humiliation of the people of Boston with indifference. But the attack upon the charter of Massachusetts filled the bosom of every North American with indignation and alarm. Charters they had been accustomed to consider as inviolable compacts between the king and his people; but if these could be annulled and abrogated by parliament, what province could deem its constitution safe from violation? And in the provision for the trial in Great Britain of individuals accused of murders committed in America, they saw an indemnity for every one who might avail himself of a plausible pretext to put to death any person who might be obnoxious to government. Such were the feelings of the colonists. But, on this side of the Atlantic, these invasions of the liberties of fellow subjects were regarded with unconcern, and even with satisfaction. The people of Great Britain generally care little about the internal state of the distant possessions of the crown. They at that time looked up to parliament with awe, as a threefold body vested with the attribute of omnipotence; and they made themselves a party in the quarrel, reprobating the refractory spirit of the colonies as a rebellion against the sovereign authority, of which they imagined that every individual Briton had a share.

#### *§ 8. Removal of the Seat of Government from Boston.*

When intelligence arrived at Boston of the strong proceedings of the British parliament and government, the patriots of Massachusetts cast an anxious eye on the sister colonies. They were well aware that, if left to themselves at this awful crisis, they must succumb to the power of the mother-country; but they entertained hopes that an union of the provinces against what they regarded as ministerial oppression, would rescue their common liberties from destruction.

To effect this union they used the utmost exertions of activity, skill, and prudence. The opposition to the stamp act and to the duty on tea had been carried on by means of committees of correspondence, which had established links of connexion throughout the whole of the British dependencies in North America. Of this organization they now availed themselves with the utmost promptitude; and, by the mission of agents of consummate ability, they roused the inhabitants of every district of continental America to a sense of their wrongs. Public meetings were held in every township of every province, in which it was resolved to make common cause with the people of Massachusetts, and to resist the claim of the British parliament to tax them without their consent. The steps to be taken in pursuance of these resolutions they unanimously agreed to refer to a general congress, the speedy summoning of which they declared to be absolutely necessary to the public safety.

In the mean time, General Gage had arrived at Boston, invested with the united authority of governor and commander-in-chief of the forces. He was speedily followed by two regiments of foot, and by various other detachments, which gradually swelled his garrison to a number which was deemed amply sufficient to overawe the malcontents, and to enforce the execution of the obnoxious acts. Soon after his arrival, he announced his intention of holding the general court of the colony at Salem after the 1st of June, the day appointed by the statute for the commencement of the operation of the Boston port act. The blow thus struck seemed to common observers to be fatal to the inhabitants of that devoted town. Property was instantly depreciated to the lowest scale of value. Houses were deserted by their tenants; warehouses were emptied and abandoned; the quays were deserted; silence reigned in the shipyards, and thousands of artificers wandered through the streets destitute of employ. But the sufferers bore their distresses with a sullen resolution. Not a murmur was heard against the democratic leaders, who might in a certain sense be regarded as the authors of their miseries; but their execrations of the British parliament were loud and violent. Contributions poured in from all quarters for their relief; and they were comforted by letters of condolence in their distresses, and of thanks for their

steadiness. The inhabitants of Marble Head offered to accommodate the merchants of Boston with their warehouses, and the people of Salem, in an address to the governor, declared that they could not "indulge one thought to seize on wealth, and raise their fortunes on the ruin of their suffering neighbours."

#### § 9. *First Acts of the Assembly at Concord.*

On the 7th of June the governor held the general court of Massachusetts, at Salem; but finding that the popular leaders were prepared, on the first day of its meeting, to carry some most obnoxious motions, he promptly dissolved the assembly. This, however, he did not effect before it had nominated five deputies to meet the committees of other provinces at Philadelphia on the ensuing 1st of September.

The more, indeed, he exerted himself to embarrass the proceedings of the patriots, the more decidedly did he find himself baffled by their vigilance and their ingenuity. When, according to the provisions of the coercive statutes, he issued a proclamation prohibiting the calling of any town meetings after the 1st of August, 1774; an assembly of this kind was, nevertheless, held; and, on his summoning the select men to aid him to disperse it, he was encountered by the following notable specimen of special pleading, that the holding of the meeting to which he objected was no violation of the Act of Parliament, "for that only prohibited the calling of town meetings, and that no such call had been made; a former legal meeting, before the 1st of August, having only adjourned themselves from time to time." One consequence of these adjourned meetings was a "solemn league and covenant," whereby the parties who signed it bound themselves "to suspend all commercial intercourse with Great Britain until the late obnoxious laws were repealed, and the colony of Massachusetts was restored to its chartered rights." A proclamation by which the Governor denounced this association as "unlawful, hostile, and traitorous," was treated with contempt. In another proclamation, published about this time, "for the encouragement of piety and virtue, and for the prevention and punishing of vice, profaneness, and immorality," the Governor made especial mention of the vice of hypocrisy as a failing which the people

were admonished to eschew. No doubt, the staff of General Gage thought this an excellent satire upon the puritanism of the Bostonians. But the joke was ill timed, and served only to add fuel to the popular mind, which was already in a high state of inflammation. When, in the month of August, Gage attempted to organize the new constitution of the colony, most of the counsellors whom he appointed refused to act, and the juries declined to serve under judges nominated by the crown. Dreading the most serious consequences from the obstinacy thus manifested by the people of Massachusetts, the Governor thought it prudent to fortify Boston Neck, and to seize the powder deposited in the arsenal at Charlestown, which is a kind of suburb to Boston, to which it is united by a bridge. These measures produced a general rising throughout the province, which was with difficulty repressed by the prudence of the leading patriots. This demonstration drove the Governor and his revenue officers from the new seat of government to the proscribed town of Boston. Whilst these transactions were going on, the Congress, or union of the several committees, had assembled at Philadelphia, and, as the first fruits of its deliberations, issued a declaration, that it "most thoroughly approved the wisdom and fortitude with which opposition to wicked ministerial measures had been hitherto established in Massachusetts; and recommended perseverance in the same firm and temperate conduct, as expressed in the resolutions of the delegates from the county of Suffolk." The tenor of these resolutions was, that no obedience was due to the restraining statutes. Emboldened by the approbation of Congress to act up to the spirit of these resolutions, a provincial assembly, held at Concord, of which Mr. Hancock was president, after having in vain solicited the Governor to desist from constructing a fortress at the entrance into Boston, in defiance of his Excellency's authority, appointed a committee to draw up a plan for the arming of the province. The members of this committee did not shrink from the discharge of their perilous duty. They gave instructions for the organizing of a species of partisans, under the name of minute men, the command of whom was conferred on Jedediah Pribble, Artemas Ward, and Seth Pomeroy, warriors whose puritanical names gave ominous foreboding of a

determination of purpose and of an obstinacy of valour, which their future conduct did not belie. The assembling of the militia was delegated to a committee of safety; and a committee of supply was authorized to expend the sum of 15,000*l.* sterling, in provisions, military accoutrements, and stores, which were accordingly provided, and deposited at Worcester and Concord. At a later meeting of the provincial congress, still bolder measures were adopted. Resolutions were then passed to raise an army of 12,000 men, and delegates were sent to the adjacent colonies to urge them to increase these forces to the number of 20,000. It was, moreover, determined that the British troops should be attacked if they marched in field equipment beyond Boston Neck. A circular letter was also issued requesting the clergy to aid the common cause by their prayers and exhortations. At this crisis the situation of the Governor was far from being an enviable one. The reins of authority had fallen from his hands, and had been seized by the provincial congress, whose resolutions had throughout the province the force of laws. At the approach of winter he experienced the utmost difficulty in procuring materials or workmen to construct barracks for the sheltering of his troops. The straw which he purchased in the vicinity of the town was set on fire, and the timber which he had bought for the king's stores was seized or destroyed. Nor was the spirit of open resistance confined to Boston. In Rhode Island the people seized the public battery of forty pieces of cannon, and stormed and took the castle of Portsmouth, where they obtained a seasonable supply of powder.

#### §. 10. *Opening of the Congress at Philadelphia.*

These active measures, which amounted to a direct levying of war against the King, were provoked by the rigour exercised against the colony of Massachusetts. In the meantime, the deputies of eleven provinces had assembled in congress at Philadelphia, and were soon joined by delegates from North Carolina. Peyton Randolph was chosen president of this assembly, and Charles Thompson was appointed its secretary. After a slight controversy as to the mode of voting, which was at length determined to be taken by provinces, each province having one vote, the members proceeded with

the utmost zeal and harmony to the arduous business before them. In the first place, they issued a declaration of rights, in which, whilst they claimed a total exemption from any species of internal taxation imposed by the British parliament, they professed their willingness to obey all the laws which might be enacted in the mother country for the regulation of trade. They protested against the introduction of a standing army into the colonies without their consent, as also against the violation of their chartered rights in the infringement of their ancient constitutions. Enumerating the several acts by which they were aggrieved, they declared that till these acts were repealed, they and their constituents would hold no commercial intercourse with Britain; and, with a view of over-awing the weak and the wavering, and the partisans of royal authority among their countrymen, they resolved that committees should be chosen in every county, city, and town, to observe the conduct of all people touching the suspension of trade with the mother country, and to publish, in gazettes, the names of those who violated this ordinance, as foes to the rights of British America. They also agreed upon an address to the British people, vindicating their resistance to oppression; and two memorials to the West India colonies and to the people of Canada, exhorting them to unite with their persecuted brethren in a steady opposition to the encroachments of arbitrary power. In laying their grievances before the throne, in a petition to the King, they professed sentiments of loyalty to his Majesty's person and authority; but complained of the miseries which had been brought upon them by the mal-administration of wicked ministers. "We ask," said they, "but for peace, liberty, and safety. We wish not a diminution of the prerogative, nor do we solicit the grant of any new right in our favour. Your royal authority over us, and our connexion with Great Britain, we shall always carefully and zealously endeavour to support and maintain." This address to the sovereign concluded in the following pathetic terms. "We implore your Majesty, for the honour of Almighty God, for your own glory, for the interest of your family, for the safety of your kingdoms and dominions, that, as the loving father of your whole people, connected by the same bonds of law, loyalty, faith, and blood, though dwell-

ing in various countries, you will not suffer the transcendent relation formed by these ties to be farther violated by uncertain expectation of effects, which, if attained, never could compensate for the calamities through which they must be gained." These various documents were drawn up with great judgment and ability; and their dissemination throughout the union produced a powerful effect upon the feelings of the people, — preparing them for the most strenuous exertions in what they deemed to be the cause of justice and freedom. Their framers, however, did not rely upon their eloquence alone, to produce an effect favourable to their cause upon the people of Britain. Their non-importation agreements had produced the repeal of the Stamp Act, and they trusted that the annunciation of similar resolutions would produce similar effects as to the removal of their late parliamentary grievances. The event proved that they were mistaken. The merchants trading to America composed a small fraction of the British community. A hostile ministry was all powerful in parliament—the pride of the King was touched—every individual Briton, in whose mouth the phrase *our colonies* was familiar, deemed himself, in some sort, sovereign over the North American plantations, and a cry almost unanimous was raised throughout the nation, that the mutinous contemners of the omnipotence of the legislature of the parent state must be reduced to obedience by the strong hand of coercion.

The CONGRESS, after a session of about eight weeks, and after passing a resolution for the calling of another assembly of the same nature, if necessary, in the ensuing May, dissolved themselves; and the members proceeded to further in their respective provinces the cause in which they were thus decidedly embarked. By their influence, operating upon minds ready prepared by perpetual discussions, both public and private, of the wrongs of the colonies, the recommendations of an assembly, invested with no legal authority, obtained the force of laws. The non-intercourse agreements were zealously adopted by the great mass of the people; and the few who ventured to dissent from the general voice were proscribed as enemies to their country.

§. 11. *Address of the House of Commons, 9th February, 1775.*

When the petition from Congress to

the King arrived in England, his Majesty had just met a new parliament, to which he had communicated information, in a speech from the throne, " that a most daring spirit of resistance and disobedience to the laws unhappily prevailed in the colony of Massachusetts ;" and at the same time intimated that he had taken the requisite steps to repress it. Notwithstanding this angry demonstration, hopes were, for a short time, entertained by the friends of America that ministers would adopt measures of conciliation. The secretary of state, after submitting the petition of the general Congress to the cabinet council, presented it to the King, by whom, as he reported, it was graciously received, and was intended to be laid by him before his two houses of parliament ; numerous petitions from the merchants and manufacturers of the principal towns in the kingdom, and from the West India planters, prayed for the adoption of a more lenient policy towards the North American colonies ; all the eloquence of Lord Chatham was exerted in the house of peers to effect the same object ; yet Lord North was determined to proceed in the course of coercion. The Rubicon was passed on the 9th of February, 1775, by the presentation by both houses of a joint address to the King, in which they stated it as their opinion, that " a rebellion actually existed in the province of Massachusetts ;" and, in the usual style, offered to hazard their lives and fortunes " in the maintenance of the just rights of his Majesty and the two houses of parliament." In support of this address, an addition was voted to the military force, of 4383 rank and file, and 2000 seamen. An act was also passed to restrain the commerce of the eastern colonies to Great Britain, Ireland, and the British West Indies ; and to prevent them from fishing on the banks of Newfoundland, under certain conditions, and for a limited time. The provisions of this act were soon afterwards extended to the provinces of New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina. It is to be remarked, that New York, Delaware, and North Carolina, did not on this occasion fall under the ban of ministerial interdiction. New York, where the government had more influence than in other colonies, had been tardy in joining the union ; and Lord North flattered himself that, by forbearing to include that and the other two colonies above-

mentioned in the restraining act, he should sow amongst the associated provinces jealousies which would dissolve their connexion ; but in this he was disappointed. So powerful was the spirit of patriotism in America, that the inhabitants of the exempted colonies disdained to avail themselves of the privileges which were reserved to them, and determined to share in the restrictions imposed on their brethren ; and it was with severe mortification that the premier soon afterwards witnessed the presentation to the house of commons of a petition and remonstrance from the assembly of New York, claiming exemption from internal taxation, and protesting against the dependance of governors and judges on the crown for their salaries and emoluments. A hearing had been refused to the petition of Congress, though it was individually signed, under the pretext that it emanated from an illegal meeting. The remonstrance of the New York assembly was not liable to this objection ; but when a motion was made in the House of Commons that it should be brought up, it was lost by a stratagem of Lord North.

On the 20th of February, 1775, some time previously to the transaction which has just been related, his lordship had manifested some cunning, but little wisdom, in proposing a resolution to the effect that when any of the colonies or provinces in America should make provision for contributing their proportion to the common defence, and for the support of their civil government (such proportion to be raised under the authority of the general court or general assembly of such province and colony), " it will be proper to forbear, in respect of such colony or province, to levy any duty or tax, except such duties as may arise for the regulation of commerce, which duties are to be carried to the account of such colony or province." The bill founded on this resolution was violently opposed by certain of the prime minister's habitual partisans, who insisted on it that the colonies should be taxed directly by the British parliament. It was also attacked by the opposition, who argued that as it reserved to the British government the right of apportioning the respective proportions which the provinces should raise for the general service, and left the disposal of the sums raised to parliament, it mattered little that the immediate application of the scourge of taxation should be left to the

colonial assemblies, who would regard the bill as an insult and a wrong. The opposition made a right estimate of the feelings of the Americans. The bill passed into a law; but it was received throughout the union with abhorrence and contempt.

It was in this session, viz. on the 22d of March, 1775, that Mr. Burke made his celebrated speech for conciliation with America,—a speech fraught with statesman-like views, expressed in language at once temperate and eloquent. At the commencement of this deeply-studied oration, Mr. Burke, after observing that all former measures recommended by the ministry and adopted by parliament had served to no other purpose but to keep America in a state of agitation, intimated that it had been observed to him by an intelligent friend, that, instead of limiting himself to criticisms or the plans of government, it was highly expedient that he should produce a plan of his own. Though he was aware, said he, that it argues little knowledge to hazard plans of government, except from a seat of authority, yet, as public calamity was a mighty leveller, he would now act upon his friend's suggestion. "My proposition," proceeded he, "is peace; not peace through the medium of war; nor peace to be hunted through the labyrinth of intricate and endless negotiations; nor peace to arise out of universal discord, fomented from principle in all parts of the empire; not peace to depend upon the juridical determination of perplexing questions, or the precise marking of the shadowy boundaries of a complex government. It is simple peace, sought in its natural course and in its ordinary haunts—it is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the former unsuspecting confidence of the colonies in the mother country, to give permanent satisfaction to your people, and, far from a scheme of ruling by discord, to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British government." After laying down and enforcing the position that the proposal for reconciliation ought, in consideration of her strength, to come from Great Britain, Mr. Burke asserted, that the plan for conciliation ought to be guided, not by abstract theory, but by a regard to cir-

cumstances. What, then, were the circumstances of the present case? In the first place, the discontented Americans amounted in number to two millions, a number which, considered in mass, could not be regarded "as a paltry excrescence of the state, or a mean dependant, who may be neglected with little damage, and provoked with little danger." But, with the consideration of the population of America, it was requisite to combine mature reflection upon other circumstances; as, for instance, the commerce, the agriculture, and the fisheries of the colonies. As to commerce, Mr. Burke proved, by documentary evidence, that, at the beginning of the century, of six millions which constituted the whole mass of the export commerce of Britain, the colony trade was but one twelfth part; but that, by the last returns submitted to parliament, it appeared that, as a part of sixteen millions, it constituted considerably more than a third of the whole. In agriculture, he asserted that America was so prosperous that she was enabled to export vast quantities of grain for the supply of the mother country. As to the third head of consideration, "no sea," exclaimed the orator, "but is vexed by the fisheries of the colonists, no climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hard industry to the extent to which it has been pushed by this recent people,—a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood." But, continued Mr. Burke, some persons will say, such a country is worth fighting for—true—but fighting will not retain it. Force is uncertain, and, if successful, it will depreciate the object gained. He warned the house to consider the temper and character of the people with whom many ill-advised individuals seemed so eager to contend. The North American colonists were jealous of their liberties. Their jealousy as to their rights they derived from their English origin: it was nursed by their popular legislatures—it was also nursed by their religion. The great body of the colonists were dissenters; and the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and can justify that opposition only on a strong claim to natural liberty. "All

protestantism," Mr. Burke acutely remarked—"All protestanism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our Northern colonies, is a refinement on the principle of resistance; it is the dissidence of dissent, and the protestantism of the protestant religion." The spirit of freedom was, moreover, nurtured in the colonies, in general, by education; and in Virginia and the Carolinas by that pride which uniformly actuates the holders of slaves, "to whom freedom is not only an enjoyment, but a kind of rank and privilege." Their distance from the mother country likewise rendered the colonists less disposed to submit to the dictation of the parent state. "This happens in all forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities." A proud spirit of liberty having from these various causes been infused throughout the colonies, in consequence of which they have not only disobeyed our authority, but established an efficient authority of their own, by means of which a vast province has subsisted for near a twelvemonth, without governor, without public council, without judges, without executive magistrates, the question arises, how is this spirit to be encountered? Some politicians have in this emergency proposed to check the population of the colonies by stopping the grant of more lands by the crown. Others have advised that their maritime enterprises should be checked by the severity of restrictive laws; whilst a third class of counsellors are sanguine in their expectations, that the Virginians and the planters of the Carolinas will speedily be reduced to submission by the emancipation of their slaves. Some, again, went so far as to talk of prosecuting the refractory as criminals. After demonstrating at length the futility of these proposals, Mr. Burke affirmed, that the only method left of putting an end to the existing troubles was that of conciliation. The Americans, said he, complain of taxation—I will not on this matter dispute the point of right, but that of policy. "The question is not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer may tell you, you may do, but what humanity, reason, and justice declare you ought to do." Having thus laid down the principle of his

plan, Mr. Burke began to open it by declaring, that his main object was to admit the people of the colonies to an interest in the Constitution. The fact was, that the Americans did not object to the laws of trade; nor did they aim at anything more than a release from taxation, imposed upon them by a legislative body in which their interests are not guarded by their representatives. Similar uneasiness was for a long time prevalent in Ireland, in Wales, and in the counties palatine of Chester and Durham. Now the agitations of Ireland were quelled by the establishment of a separate legislature for that country, whilst the feuds which prevailed in Cheshire and Durham were annihilated by the admission of representatives of those counties into the English parliament. Let a similar policy then be exercised towards America. In her case, let taxation and representation go hand in hand. But the distance between the colonies and the mother country precludes the Americans from sending representatives to the British legislature. What remains, then, but to recognize for the theory the ancient constitution and policy of this kingdom with regard to representation, and as to the practice, to return to that mode which an uniform experience has marked out to you as best, and in which you walked with security, advantage, and honour until the year 1763. "My resolutions, therefore," continued Mr. Burke, "mean to establish the equity and justice of a taxation of America by *grant*, and not by *imposition*; to mark the *legal competency* of the colony assemblies for the support of their government in peace, and for the public aids in the time of war; to acknowledge that this legal competency has had a dutiful and beneficial exercise, and that experience has shewn the benefit of their grants, and the futility of parliamentary taxation as a measure of supply." After opening these points at considerable length, and with transcendent ability, Mr. Burke concluded by moving a series of resolutions, in which their substance was embodied. This masterly speech, in the meditation and composition of which Mr. Burke, in the earnestness of his wish to point out to the members of the House of Commons the true line of colonial policy, seems to have chastised and checked the exuberance of his genius, was spoken to the members alone, as during the debate the stand-

ing orders for the exclusion of strangers were strictly enforced. It was answered by Mr. Jenkinson, who professed serious alarm at the proposition, that any public body, save parliament, was entitled to make grants of money to the crown. These constitutional scruples had their due weight, and Mr. Burke's resolutions were negatived by a majority of 270 to 78.

About this time, Dr. Franklin, in a kind of demi-official communication with ministers, endeavoured to effect a reconciliation between the colonies and the parent state. In the discussions which took place with this view between the Doctor and the agents of the ministry, most of the points in dispute were settled; but the obstinate refusal of the cabinet to restore the ancient constitution of Massachusetts broke off the conferences; and Dr. Franklin, despairing of the preservation of peace, returned to his native land, determined to share the fortunes of his countrymen, and, at all hazards, to devote his talents to the maintenance of their rights.

*§ 12. Affair at Lexington, 19th April, 1775.*

It has already been stated that the Massachusetts patriots had resolved to attack the king's forces whenever they should march out of Boston. On the 19th of April, 1775, their adherence to this resolution was put to the test. With a view of seizing the military stores and provisions which the insurgents had collected at Concord, General Gage, on the night preceding that eventful day, detached from his garrison 800 picked men, under the command of Lieutenant-Colonel Smith. These troops made a rapid march to the place of their destination, in hopes of taking the malcontents by surprise; but notwithstanding their precautions, the alarm was given throughout the country, and the inhabitants flew to arms. Between four and five o'clock on the morning of the 19th, the advanced guard of the royal troops arrived at Lexington, where they found about seventy of the American militia under arms, whom Major Pitcairn ordered to disperse; and on their hesitating to obey his commands, that officer discharged his pistol, and ordered his soldiers to fire. By the volley which ensued three or four of the militia were killed, and the rest put to flight. Lieutenant-Colonel Smith then proceeded to

Concord, where he destroyed the stores of the insurgents, and then commenced his retreat towards Boston. He was not, however, permitted to make this retrograde movement without molestation. Before he left Concord he was attacked by the American militia and minute-men, who, accumulating by degrees, harassed his rear and flanks, taking advantage of every inequality of ground, and especially availing themselves of the stone walls which skirted the road, and which served them as entrenchments. Had not the detachment been met at Lexington by a body of 900 men, which General Gage had sent out to its support, under the command of Lord Percy, it would certainly have been cut off. The united British forces arrived, wearied and exhausted, at Bunker's Hill, near Boston, a little after sunset, having sustained a loss of 65 killed, 180 wounded, and 28 prisoners.

When Lord Percy, on his advance, was marching through Roxburgh, his military band, in derision of the Americans, played the tune of "Yankee Doodle." His lordship observed a youth who appeared to be amused at this circumstance, and asking him why he laughed, received this answer—"To think how you will dance by-and-by to 'Chevy Chase!'" It had been too much the habit of the British to despise and insult the Americans as cowards; but the event of the march to Concord convinced them that the Massachusetts men were not deficient either in personal courage or in individual skill in the use of arms.

*§ 13. Battle of Bunker's Hill, 16th June, 1775.*

Blood having been thus drawn, the whole of the discontented colonies took prompt measures to resist the royal authority by force of arms. Volunteers enrolled themselves in every province; and throughout the whole union the King's stores were seized for the use of the insurgents. The surpral of Ticonderoga and Crown Point by a party from Connecticut, under the command of Colonel Allen, furnished them with upwards of 100 pieces of cannon, and a proportionable quantity of ammunition. Troops were gradually assembled in the towns and villages in the vicinity of Boston, so as to hold that town in a state of blockade. About the latter end of May, General Gage was reinforced by

the troops which had been sent from Great Britain, and which were accompanied by Generals Howe, Burgoyne, and Clinton. Finding himself thus strengthened, he prepared for active operations; but wishing to temper justice with mercy, on the 12th of June he issued a proclamation, offering pardon to all who would lay down their arms, with the exception of Samuel Adams and John Hancock, "whose offences," he declared, "were of too flagitious a nature to admit of any other consideration than that of condign punishment." This proclamation produced no effect on the Americans, save that of rousing them to more vigorous exertions. On Charlestown Neck, a peninsula situated to the north of Boston, with which it communicates by a bridge, is a considerable eminence, called Bunker's Hill. As this was deemed a post of great importance, the Americans resolved to occupy it, and orders were given by the provincial authorities that a detachment of 1000 men should entrench themselves on the height in question. The party was accordingly moved forwards from Cambridge on the night of the 16th of June, but, by mistake, commenced their operations on Breed's Hill, an eminence nearer to the town of Boston than the place of their destination. Here they laboured with such activity, and at the same time with such silence, that the appearance of their works, at day-break the next morning, was the first indication of their presence. The firing of guns from the Lively man-of-war, whence they were first seen, gave the alarm to the British, whose commanders, on reconnoitring the position of the enemy from the steeples and heights of the city, perceived that they had thrown up a redoubt about eight rods square, from which lines extended to the eastward nearly to the bottom of the hill. To the westward the works were less perfect; but the provincials were busily employed in carrying them on, notwithstanding they were exposed to showers of shot and shells, discharged from the vessels in the harbour. The necessity of driving the enemy from their position was evident; and for this purpose Gage put 3000 men under the command of General Howe. On this occasion the British were not very alert in their preparations, as it was noon before their troops were embarked in the boats which were to convey them to Moreton's Point, at the southern extremity of Charlestown

Neck. At this awful crisis every elevated spot in the town of Boston was covered with spectators, who anxiously awaited the event of the expected contest. Their attention was first arrested by a dense smoke, which announced that the British, fearing lest the houses of Charlestown might afford shelter to the provincials, had set that place on fire. Proceeding to Moreton's Point, the king's troops formed in two lines, and marched slowly up the hill, whilst their artillery played on the American works. The provincials stood firm and steady: they reserved their fire till the British had advanced to within sixty or seventy yards of their lines; they then made a simultaneous discharge with so cool an aim, and supported their fire with so much steadiness, that the British gave way, and fled to the water's edge. Here they were rallied by their officers, and a second time led to the charge. A second time they retreated, and all seemed to be lost, when General Howe, aided by General Clinton, who, seeing his distress, had crossed over from Boston to join him, with difficulty persuaded them to make another onset, which was successful. The Americans had expended their ammunition, and were unable to procure a fresh supply. Their redoubt being forced, they were compelled to retreat; but though the road over Charlestown Neck, by which they retired, was enfiladed by the Glasgow man-of-war, they withdrew with much less loss than might have been expected: they left dead on the field 139 of their comrades, and their wounded and missing amounted to 314. Amongst the valuable lives which were sacrificed in this battle, the Americans were sensibly affected by the loss of Dr. Warren, who was slain whilst standing on the redoubt, animating his fellow soldiers to the most valorous exertions. Warren was a man of eminent talents, and of most amiable manners in private and domestic life. He excelled as an orator, and he was wise and prudent in council, and the circumstances of his death evinced that he could act as well as speak, and that the mildness of his character was united with firm determination and undaunted courage. The British purchased their victory dearly, their loss amounting to 226 killed and 828 wounded, including 79 officers: at this cost General Gage obtained little more than the field of battle. At the conclusion of the engagement he advanced to Bunker's Hill, which he for

tified; whilst the Americans entrenched themselves on Prospect Hill, distant about a mile and a half from his lines.

§ 14. *Union of the Thirteen Provinces*  
*Hancock appointed President, and*  
*Washington Commander-in-Chief.*

When Colonel Allen appeared at the gates of Ticonderoga, on the 10th of May, he summoned that fortress "in the name of the Great Jehovah and the continental Congress." On the very day on which this summons was given that body assembled, and had the satisfaction to find itself joined by delegates from Georgia—so that the union of the thirteen provinces was now completed. Peyton Randolph, Esq., was appointed president; but urgent business soon after requiring his presence at home, he was succeeded by Mr. Hancock. After mature deliberation, the Congress agreed on addresses to the British nation, to the Canadians, to Ireland, and to the Island of Jamaica, in which they insisted upon the topics upon which they had antecedently dwelt in similar compositions. Fearful also lest, in case of the continuance of hostilities with the mother country, their frontier should be devastated by the Indians, a talk was prepared in which the controversy between Great Britain and her colonies was *explained* in a familiar Indian style. They were told that "they had no concern in the family quarrel, and were urged by the ties of ancient friendship and a common birth place, to remain at home, to keep their hatchet buried deep, and to join neither side." Such is the statement of Mr. Ramsay; and so far as Congress is concerned, no doubt that respectable historian is correct. But had he carefully examined the official correspondence of General Washington, he would have found, from a letter of his dated August 4, 1775, that the American commander-in-chief did not limit his views to neutrality on the part of the Indians, but that he took measures to secure the co-operation of the Caghnewaga tribe, in the event of any expedition being meditated against Canada. Still aiming, with however faint hopes, at conciliation, the Congress drew up another humble and pathetic petition to the King, which was delivered on the ensuing September by their agents to Lord Dartmouth, the colonial secretary of state, who informed them that no answer would be returned to it. They did not, however, confine them-

selves to literary controversy, but took measures for depriving the British troops of supplies. They also resolved to raise an army sufficient to enable them to cope with the enemy, and issued, for its equipment and pay, bills of credit to the value of two millions of dollars. With a happy unanimity they appointed George Washington commander-in-chief of their forces. Soon after he received his commission, the general repaired to the head quarters at Cambridge, in the vicinity of Boston, where he arrived on the 3rd of July, and was received with joyful acclamations by the troops. The army consisted of 14,500 men, and occupied cantonments so disposed as closely to beleaguer the enemy within Boston. The soldiers were hardy, active, and zealous. But still, when the general had minutely inspected the state of affairs, he found ample matter for serious reflection. He was destitute of a responsible commissariat to procure and dispense the necessary supplies. Many of the soldiers were ill-provided with arms. On the 4th of August he was apprized of the alarming fact that his whole stock of powder would afford little more than nine rounds a man. On the settling of the rank of officers, also, he had to encounter the ill-humour of the ambitious, who conceived that they were not promoted according to their merits. With his characteristic patience and assiduity, however, he overcame these difficulties. By the influence of the respect which his character inspired, he reduced these jarring elements to some degree of order. His encampments were regularly supplied with provisions. By extraordinary exertions he procured a sufficient stock of ammunition and military stores; and though the well-dressed scouting parties of the British who approached his lines could not repress a smile on seeing his soldiers equipped in hunting shirts, the affair at Breed's Hill had taught them that a handsome uniform is by no means essential to bravery in battle.

On the 10th of October, General Gage resigned the command of the British army to General Howe, and sailed for England in a vessel of war. Had he made the voyage in a transport, he would have run some risk of being taken prisoner; for towards the close of this year (1775) Congress fitted out several privateers, which were eminently successful in capturing the store ships which had been sent from Great Britain with supplies for the royal army. These captures

at once crippled the enemy and furnished the Americans with important requisites for carrying on the war.

§ 15. *Invasion of Canada—Death of Montgomery.*

Nor were the offensive operations of the provincials confined to the sea. Having, as has been before related, obtained possession of Ticonderoga, which is the key of Canada, the Congress determined to invade that province, in the hope that its inhabitants would welcome the forces which they might send against it, as their deliverers from the yoke of oppression. They accordingly gave the command of 1000 men to Generals Schuyler and Montgomery, with directions to march into Canada. When the expedition had advanced to the town of St. John's, Schuyler, in consequence of the bad state of his health, resigned the command to his associate, and returned home. In attacking St. John's, the commander of which made a brave defence, Montgomery experienced considerable difficulties in consequence of his want of the chief requisites for conducting a siege; but he vanquished them all, and compelled the garrison, consisting of 500 regulars and 100 Canadians, to surrender. During the progress of the siege, Sir Guy Carleton, the Governor of Canada, had collected 800 men at Montreal, for the purpose of attacking the besieging army; but he was driven back by a body of the Vermont militia, commanded by General Warner. Montgomery, therefore, proceeded to Montreal, the garrison of which attempted to escape down the river, but were intercepted and captured by the American Colonel Easton: and Governor Carleton himself was so hard pressed, that he was glad to escape to Trois Rivières, whence he proceeded to Quebec. To this place he was pursued by Montgomery, who, in the course of his march, adopted the wisest measures to gain over the inhabitants of the province. With the peasants he succeeded; but upon the priests and the seigneurs, or feudal lords, who foresaw that a revolution would be detrimental to their interests, he made little impression.

Whilst Montgomery was penetrating into Canada by the St. Lawrence, General Arnold, who afterwards rendered himself infamous by his treachery, was advancing to co-operate with him by the way of the Kennebeck river and the

Chaudière. This route appears upon the map to be a very direct one; but it was beset with formidable difficulties. In their voyage up the Kennebeck, Arnold and his comrades had to pull against a powerful stream interrupted by rapids, over which they were obliged to haul their boats with excessive labour. The space which intervenes between the mouth of the Kennebeck and that of the Chaudière was a wild and pathless forest, through a great part of which they were compelled to cut their way with hatchets; and so scantily were they furnished with provisions, that when they had eaten their last morsel they had thirty miles to travel before they could expect any farther supplies. In spite of these obstructions, Arnold persevered in his bold enterprize; and on the 8th of November he arrived at Point Levi, opposite Quebec; and had he possessed the means of immediately passing the St. Lawrence, such was the panic occasioned by his unexpected appearance, that it is probable that the city, in the absence of the Governor, would have surrendered to him. But whilst he was collecting craft to effect his passage, the inhabitants recovered from their consternation, the Governor arrived, and the place was put in a posture of defence. On the 1st of December, Montgomery, having effected a junction with Arnold, broke ground before Quebec. But he laboured under insuperable disadvantages. His forces were inferior in number to those of the garrison. He was destitute of a proper battering train. His soldiers were daily sinking under the hardships of a Canadian winter; and their term of enlistment was soon to expire. Seeing that no hopes were left, but that of the success of a desperate effort, he attempted to carry the city by assault, and had penetrated to the second barrier, when he fell by a musket shot, leaving behind him the character of a brave soldier, an accomplished gentleman, and an ardent friend of liberty. Arnold was carried wounded from the field; but on the death of his friend he took the command of the remnant of his forces, which he encamped at the short distance of three miles from the city.

§ 16. *Evacuation of Boston, March 17, 1776.*

Whilst these transactions were carrying on to the northward of the

American continent, the inhabitants of the middle and southern provinces were employed in preparing for resistance against the demands of the British government, and in general compelled such of their governors as took any active measures for the support of royal authority, to consult for their safety by taking refuge on board of ships of war. In Virginia, the imprudence of Lord Dunmore provoked open hostilities, in the course of which he burned the town of Norfolk. By this act, however, and by a proclamation, in which he promised freedom to such of the negroes as should join his standard, he only irritated the provincials, without doing them any essential injury; and being finally driven from the colony, he returned to England.

Towards the close of this year, the commander-in-chief of the American forces found himself in circumstances of extreme embarrassment. "It gives me great distress," thus he wrote in a letter to Congress of the date of Sept. 21, 1775, "to be obliged to solicit the attention of the honourable Congress to the state of this army, in terms which imply the slightest apprehension of being neglected. But my situation is inexpressibly distressing, to see the winter fast approaching upon a naked army; the time of their service within a few weeks of expiring; and no provision yet made for such important events. Added to these, the military chest is totally exhausted; the paymaster has not a single dollar in hand: the commissary-general assures me he has strained his credit, for the subsistence of the army, to the utmost. The quartermaster-general is precisely in the same situation; and the greater part of the troops are in a state not far from mutiny upon the deduction from their stated allowance." The fact is, that the troops had engaged in the service of their country with feelings of ardent zeal; but, with a mistaken idea that the contest would be decided by a single effort, they had limited the time of their service to a short period, which was ready to expire. Congress had appointed a committee, consisting of Dr. Franklin and two other individuals, to organize an army for the year 1776. But when these gentlemen repaired to head quarters, and sounded the dispositions of the troops as to a second enlistment, they did not find in them the alacrity which they expected. The soldiers

were, as they had evinced in all services of danger, personally brave; but they were unaccustomed to the alternate monotony and violent exertion of a military life, and their independent spirit could ill brook the necessary restraints of discipline. From these causes so many quitted the camp when the term of their service was expired, that on the last day of the year Washington's muster-roll contained the names of only 9650 men. By the exertions of the committee, however, these were speedily reinforced by a body of militia, who increased their numbers to 17,000. Upon these circumstances, the commander-in-chief, in one of his despatches to Congress, made the following striking remarks. "It is not in the pages of history, perhaps, to furnish a case like ours—to maintain a post within musket-shot of the enemy for six months together without ammunition, and, at the same time, to disband one army and recruit another, within that distance of twenty odd British regiments is more, probably, than ever was attempted. But if we succeed as well in the last, as we have heretofore in the first, I shall think it the most fortunate event of my whole life." It may be permitted us to conjecture that in these circumstances the uneasiness of Washington was enhanced by his consciousness of the risk which he ran in thus communicating the secret of his difficulties to so numerous a body as the Congress. Had there been found one coward, one traitor, or even one indiscreet individual in that assembly, the British general would have been apprized of the vast advantages which he had over his antagonist; he would have adopted the offensive, and the cause of American independence would have been lost. But every colonial senator was faithful to his trust. Every one was silent as to the real situation of the army; and the commander-in-chief still confidently presented a bold front to the enemy. It was well known that the British troops in Boston were much straitened for provisions; and the militia having joined the army in expectation of immediate battle, were eager for the onset, and murmured at the delay of the general in giving the signal for an assault on the town. They were little aware of the distresses bywhich he was embarrassed. Notwithstanding the Congress had even sent to the coast of Africa to purchase gunpowder, his magazines still contained but a scanty stock of that essential article, and many

of his troops were destitute of muskets. But he kept to himself the important secret of the deficiency of his stores, and patiently submitted to the criticisms which were passed on his procrastination, till he had made the requisite preparations. He then proposed to storm the British lines; but was advised by his council of war, in preference to this measure, to take possession of Dorchester heights, an eminence which from the southward commands the harbour and city of Boston. To this advice he acceded, and having diverted the attention of the British garrison by a bombardment, which was merely a feint, on the night of the 4th of March he pushed forward a working party of 1200 men, under the protection of a detachment of 800 troops. The Americans were very expert in the use of the spade and pick-axe, and by day-break they had completed respectable lines of defence. The British admiral no sooner beheld these preparations, than he sent word to General Howe, that if the Americans were not dislodged from their works he could not with safety continue in the harbour. On the 6th, Howe had completed his arrangements for the attack of the enemy's lines, and a bloody battle was expected; but the transports in which his troops were embarked for the purpose of approaching the heights by water were dispersed by a storm; and the enemy so industriously took advantage of the consequent suspension of his operations to strengthen their position, that when the storm subsided he despaired of success in attacking it. Finding the town no longer tenable, he evacuated it on the 17th of March, and sailed with his garrison, which amounted to 7000 men, to Halifax in Nova Scotia.

In consequence of an implied threat on the part of General Howe, that if he was interrupted by any hostile attack during the embarkation of his troops, he would set fire to the town, the British were allowed to retire without molestation, though their commander, immediately before his departure, levied considerable requisitions for the use of his army upon the merchants who were possessed of woollen and linen goods; and though the soldiery, availing themselves of the relaxation of military discipline which usually accompanies the precipitate movements of troops, indulged themselves, in defiance of orders issued to the contrary, in all the license

of plunder. Previously to the evacuation of the place, Howe spiked all the cannon and mortars which he was obliged to leave behind him, and demolished the fortifications of Castle William. Immediately on the withdrawing of the royal forces, Washington entering Boston in triumph, was hailed as a deliverer by the acclamations of the inhabitants. He also received the thanks of the Congress and of the legislature of Massachusetts; and a medal was struck in honour of his services in expelling the invaders from his native land.

The exultation which the Americans felt at the expulsion of the British from Boston was tempered by the arrival of sinister intelligence from Canada. In sending an expedition into that country, Congress had been influenced by two motives: they wished at once to secure the junction of the inhabitants of that province to their union, and to protect their own northern frontier from invasion. But the Canadians were little prepared for the assertion of the principles of freedom; and the rapacity of the unprincipled Arnold, and the misconduct of his troops, had alienated their affections from the common cause. Congress, however, by extraordinary exertions, sent to the camp before Quebec reinforcements, which, by the 1st of May, increased Arnold's army to the number of 3000 men. But his forces were unfortunately weakened by the ravages of the small-pox; and reinforcements from England having begun to arrive at Quebec, he determined upon a retreat. In this retrograde movement the American army had to encounter difficulties, which to ordinary minds would have seemed insurmountable. On their march through almost impracticable roads, they were closely followed, and frequently brought to action, by an enemy superior in number. In an ill-advised attack on Trois Rivières they sustained considerable loss, and their forces were for a time separated, and almost dispersed. But notwithstanding these disasters, General Sullivan, who conducted the retreat, contrived to save his baggage, stores, and sick, and led back a respectable remnant of his army to Crown Point, where he resolved to make a stand. Being well aware of the necessity of guarding this quarter of their frontier against the incursions of the British, the Congress sent thither an army of 12,000 men, under the command of

General Gates, who cast up strong works at Ticonderoga, and endeavoured to retain the command of Lake Champlain by means of a flotilla, which was built and equipped with a rapidity hitherto unheard of. General Carleton, however, was not behind-hand with him in activity. He speedily fitted out a superior armament, by means of which he took or destroyed almost the whole of the American vessels. Having thus made himself master of the lake, he advanced to the vicinity of Ticonderoga; but finding that port too strongly fortified, and too well garrisoned to be taken by assault, he returned to Quebec. Valour and military skill were not the highest characteristics of Sir Guy Carleton.—The kindness which he manifested to his prisoners, and especially to the sick and wounded of the Americans who fell into his hands, entitle him to the superior praise of humanity.

*§ 17. Declaration of Independence, 4th July, 1776.*

When the British ministry took the resolution to coerce the discontented colonies by force of arms, they were little aware of the difficulty of their undertaking; and, consequently, the means which they adopted for the execution of their designs were by no means commensurate with the object which they had in view. But when they met the parliament in October, 1775, they were obliged to confess that the spirit of resistance to royal authority was widely diffused throughout the North American provinces, that rebellion had assumed a bold front, and had been alarmingly successful. To supply them with the means of suppressing it, parliament readily voted the raising and equipment of 28,000 seamen, and 55,000 land forces. The bill which provided for this powerful armament also authorized his majesty to appoint commissioners, who were to be empowered to grant pardons to individuals, to inquire into and redress grievances, and to receive any colonies, upon their return to obedience, into the king's peace.

When the colonists were apprized of the bill having been passed into a law, they treated the offer of pardon with contempt, and contemplated with anger, but not with dismay, the formidable preparations announced by its provisions. Their irritation was excited to the highest pitch when they were informed that Lord

North had engaged 16,000 German mercenaries to assist in their subjugation. Nor did this measure escape severe animadversion in the British parliament. It was warmly censured by many members of the opposition, especially by Mr. Adair and Mr. Dunning, who maintained that, in engaging the services of foreign mercenaries without the previous consent of parliament, ministers had violated the provision of the Bill of Rights, and that by this infringement of the Constitution they had set a precedent which might be made available by some future arbitrary monarch to the destruction of the liberties of the country.

The command of the British forces was given to General Howe, who, in arranging the plan of the campaign, determined, first, after driving the enemy from Canada, to invade their country by the north-western frontier. 2dly, to subdue the southern colonies; and, 3dly. to strike at the centre of the union by conquering the province of New York, from which, by means of the Hudson river, he should be able to co-operate with the royal army in Canada. The latter province having been already rescued from the invaders by Sir Guy Carleton, General Howe committed the execution of the second part of his plan to General Clinton and Sir Peter Parker, who having effected a junction at Cape Fear, resolved to make an attack upon Charlestowm. They accordingly sailed up Ashley river, on which that place is situated; but they encountered so determined an opposition from a fort hastily erected on Sullivan's Island, and commanded by Colonel Moultrie, that, after sustaining considerable loss of men, and much damage to their shipping, they gave up their enterprize and sailed to New York. The result of this attempt was highly favourable to the Americans, as it consoled them for their losses in the north, inspired them with new confidence, and, for the ensuing two years and a half, preserved the southern colonies from the presence of a hostile force.

The command of the principal British fleet, destined to co-operate with General Howe, had been bestowed upon his brother Sir William, who, when his equipment was finished, sailed directly for Halifax. On his arrival at that place, he found that the general, impatient of his delay, had proceeded on his voyage towards New York, whither he immediately followed him, and joined

him at Staten Island. On this junction of the two brothers, their forces were found to amount to 30,000 men; and never, perhaps, was an army better equipped, or more amply provided with artillery, stores, and every requisite for the carrying on of vigorous and active hostilities. Far different was the condition of the American commander-in-chief. His troops, enlisted for short periods, had acquired little discipline. They were scantily clothed and imperfectly armed. They were frequently in want of ammunition; and they were ill-supplied with provisions. Disaffection to the cause of their country was also manifested by some of the inhabitants of New York, who, at the instigation of Governor Tryon, had entered into a conspiracy to aid the king's troops on their expected arrival. In this plot, even, some of the army had been engaged; and a soldier of the commander-in-chief's own guard had, by the unanimous sentence of a court martial, been sentenced to die for enrolling himself among the conspirators, and enlisting others in the same traitorous cause. In these circumstances Washington could not but regard the approaching contest with serious uneasiness; but he, as usual, concealed his uneasiness within his own bosom, and determined to fight to the last in the cause of his country. His firmness was participated by the Congress, who, whilst the storm seemed to be gathering thick over their heads, beheld it with eyes undismayed, and now proceeded with a daring hand to strike the decisive stroke which for ever separated thirteen flourishing colonies from their dependence on the British crown. It is possible, nay, it is probable, that from the beginning of the disputes with the mother country, there may have been some few speculators among the American politicians, who entertained some vague notions and some uncertain hopes of independence. In every age, and in every country, there are individuals whose mental view extends to a wider circle than that of the community at large, and unhappy is their destiny if they attempt to bring their notions into action, or even to promulgate them before the season is ripe unto the harvest. But no such precipitancy was found amongst the partisans of American liberty. Like Franklin, for year after year, they limited their wishes to an exemption from parliamentary

taxation, and to a preservation of their chartered rights and privileges. But the violent measures of the British ministers altered their sentiments, and the spectacle of their countrymen mustering in arms to resist ministerial oppression, prompted them to bolder daring. Finding that the British cabinet had hired foreign troops to assist in their subjugation, they foresaw that they might be reduced to apply to foreign aid to help them in their resistance against oppression. But what power would lend them aid whilst they retained the character of subjects of his Britannic Majesty. Sentiments such as these, having been industriously and successfully disseminated throughout the union, the Congress on the 4th of July, 1776, whilst the formidable array of the British fleet was hovering on their coasts, on the motion of Mr. Richard Henry Lee, representative of Virginia, passed their celebrated declaration of independence, by which act they for ever withdrew their allegiance from the king of Great Britain. This important document is couched in the following terms:—

“ When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

“ We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its power in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accordingly, all experience hath shewn, that mankind are more disposed to suffer, while evils

are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right—it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former system of government. The history of the present King of Great Britain, is a history of repeated injuries and usurpations, all having in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

“ He has refused his assent to laws the most wholesome and necessary for the public good.

“ He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and when so suspended, he has utterly neglected to attend to them.

“ He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

“ He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

“ He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of his people.

“ He has refused, for a long time after such dissolutions, to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the state remaining in the mean time exposed to all the danger of invasion from without, and convulsions within.

“ He has endeavoured to prevent the population of these states, for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

“ He has obstructed the administra-

tion of justice, by refusing his assent to laws for establishing judiciary powers.

“ He has made judges dependent on his will alone for the tenure of their offices and the amount and payment of their salaries.

“ He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

“ He has kept among us, in time of peace, standing armies, without the consent of our legislatures.

“ He has affected to render the military independent of, and superior to, the civil power.

“ He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws, giving his assent to their acts of pretended legislation ;

“ For quartering large bodies of armed troops among us ;

“ For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states ;

“ For cutting off our trade with all parts of the world ;

“ For imposing taxes upon us without our consent ;

“ For depriving us, in many cases, of the benefits of trial by jury ;

“ For transporting us beyond the seas to be tried for pretended offences ;

“ For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies ;

“ For taking away our charters, abolishing our most valuable laws, and altering fundamentally the form of our governments ;

“ For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

“ He has abdicated government here, by declaring us out of his protection, and waging war against us.

“ He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

“ He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun, with circum-

stances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

“ He has constrained our fellow citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

“ He has excited domestic insurrections among us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages; whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

“ In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

“ Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts made by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They too have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them as we hold the rest of mankind—enemies in war, in peace, friends.

“ We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do in the name, and by authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, FREE and INDEPENDENT STATES; that they are absolved from all allegiance to the British crown; and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states,

they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may, of right, do. And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honour.”

### § 18. *Capture of Long Island, 26th August, 1776.*

General Washington was well aware that New York would be the first object of attack on the part of the British; and despairing of being able to encounter them in the open field, he resolved to protract the approaching campaign by carrying on a war of posts. With this view, after fortifying Long Island, he threw up various entrenchments on New York Island, which is bounded on the west by the Hudson, and on the south and east by East River, whilst to the north it is separated from the main land by a narrow channel which unites these two streams. He also constructed two forts, the one on the Hudson named Fort Washington, by which he proposed to maintain his communication with Jersey, whilst the other, called Fort Lee, connected his defence with the province of New York. Whilst he was making these preparations he received from Pennsylvania a seasonable reinforcement of 10,000 men, raised for the express purpose of forming a flying camp; but he was disappointed in his expectation of the aid of a large body of militia. Independently of the flying camp, his forces, at this moment of peril, amounted only to 17,225 men.

Before commencing hostilities, the Howes, with a view of conciliation, or of detaching the wavering amongst the colonists from the cause of the Congress, issued a proclamation, offering pardon to such of his majesty's rebellious subjects as would lay down their arms, and announcing their powers, on the fulfilment of certain conditions, to receive any colony, district, or place, into the king's peace. This proclamation produced no effect beyond the districts from time to time occupied by the royal army. General Howe also endeavoured to open a correspondence with Washington, for the purpose of laying a ground for the amicable adjustment of all differences between the colonies and

the mother country; but as the British commander did not recognize the official character of Washington in the address of his letter, it was returned unopened, and thus this attempt at negotiation failed.

Those who are accustomed to the rapid proceedings of more modern warfare, cannot give to General Howe the praise due to activity. Though he arrived at Staten Island on the 10th of June, it was not till the 26th of August that he commenced active operations against the enemy by an attack on Long Island, on the north-western part of which a respectable force of Americans, commanded by General Sullivan, occupied an entrenched camp. Their position was protected in front by a range of hills stretching across the island, from the Narrows, a strait which separates it from Staten Island, to the town of Jamaica, situated on the southern coast. Over the hills in question pass three defensible roads, each of which was guarded by 800 men. The pass by the Narrows was attacked and carried by General Grant—the second, by Flatbush, was cleared by General de Heister, in retreating before whom the Americans were encountered by General Clinton, who with the right wing of the British army, had made a detour by Jamaica. Thus the provincials were driven into their lines with the loss of upwards of 1000 men, whilst the British loss did not amount to more than 450. During the engagement Washington had sent strong reinforcements into Long Island, and, at its close, he repaired thither in person with the greater part of his army. This movement had nearly occasioned his ruin. He soon found himself cooped up in a corner, with a superior force in front prepared to attack his works, which were untenable. In these circumstances his only safety lay in retreat. It was a difficult operation to convey a whole army across a ferry in the presence of an enemy, whose working parties could be heard by his sentries. But favoured by the darkness of the night, and by a fog which arose in the morning, he transported the whole of his force to New York, leaving nothing behind him but some heavy cannon.

#### § 19. *Evacuation of New York, 1st September, 1776.*

Among the prisoners taken by the British on Long Island was General

Sullivan, whom General Howe sent on his parole with a message to Congress, renewing his offers to negotiate for an amicable accommodation. The Congress sent a committee of three of their body—Dr. Franklin, John Adams, and Edward Rutledge, to confer with him on the subject of his communication. These deputies were received with great politeness by General Howe; but, after a full discussion with the British commander, they reported to Congress that his proposals were unsatisfactory, and his powers insufficient. Their report concluded in the following terms:—"It did not appear to your Committee that his lordship's commission contained any other authority than that expressed by the act of parliament—namely, that of granting pardons, with such exceptions as the commissioners shall think proper to make, and of declaring America or any part of it to be in the king's peace on submission: for, as to the power of inquiring into the state of America, which his lordship mentioned to us, and of conferring and consulting with any persons the commissioners might think proper, and representing the result of such conversation to the ministry, who, provided the colonies would subject themselves, might, after all, or might not, at their pleasure, make any alterations in the former instructions to governors, or propose in parliament any amendment of the acts complained of; we apprehend any expectation from the effect of such a power would have been too uncertain and precarious to be relied on by America, had she still continued in her state of dependence." This attempt at negotiation having thus fruitlessly terminated, nothing was left but to decide the dispute by arms.

The Congress embraced this alternative in circumstances which would have reduced men of less resolute spirits to despair. Their army was so dispirited by the events which had taken place in Long Island, that the militia began to desert, and the constancy of some of the regulars was shaken. They were apprized, too, that Washington foresaw the necessity of making a series of retrograde movements, which were calculated to cloud the public mind with despondency. The prognostics of the general were soon verified. On the 15th of September, General Howe effected a landing on New York Island,

and compelled him to evacuate the city of New York, and to retire to the north end of the island. Here Howe unaccountably suffered him to remain unmolested for nearly four weeks, at the end of which time he manœuvred to compel him to give him battle on the island. Dreading the being reduced to this perilous necessity, the American commander withdrew to the White Plains, taking, however, every opportunity to front the enemy, and engaging in partial actions, which in some degree kept the British in check. At length he crossed the Hudson, and occupied some strong ground on the Jersey shore of that river, in the neighbourhood of Fort Lee. He had no sooner evacuated New York Island than General Howe attacked and took Fort Washington, in which he made 2700 men prisoners, at the cost, however, of 1200 men on his side killed and wounded. Fort Lee was shortly after evacuated by its garrison, and taken possession of by Lord Cornwallis. Following up these successes, General Howe pursued the flying Americans to Newark, and from Newark to Brunswick, and from Brunswick successively to Princeton and Trenton, till at length he drove them to the Pennsylvania side of the Delaware. Nothing could exceed the distress which the American army suffered during this retreat through the Jerseys. They were destitute of blankets and shoes, and their clothing was reduced to rags. They were coldly looked upon by the inhabitants, who gave up the cause of America for lost, and hastened to make their peace with the victors. Had General Howe been able to maintain discipline in his army, Jersey would have been severed from the Union. But, fortunately for the interests of the congress, his troops indulged in all the excesses of military violence, and irritated the inhabitants of the country to such a degree, that their new-born loyalty was speedily extinct, and all their thoughts were bent upon revenge.

§ 20. *Battle of Trenton, 28th December, 1776.*

On the approach of the British to the Delaware, congress adjourned its sittings from Philadelphia to Baltimore, and it was expected that General Howe would speedily make his triumphal entry into the Pennsylvanian capital. But a bold manœuvre of Washington

suddenly turned the tide of success. On his arrival at the Delaware, his troops were dwindled down to the number of 3000; but having received some reinforcements of Pennsylvanian militia, he determined to endeavour to retrieve his fortunes by a decisive stroke. The British troops were cantoned in Burlington, Bordentown, and Trenton, waiting for the formation of the ice to cross into Pennsylvania. Understanding that in the confidence produced by a series of successes, they were by no means vigilant, he conceived the possibility of taking them by surprise. He accordingly, on the evening of Christmas Day, conveyed the main body of his army over the Delaware, and falling upon the troops quartered in Trenton, killed and captured about 200 of them, and recrossed into Pennsylvania with his prisoners. On the 28th of December he again took possession of Trenton, where he was soon encountered by a superior force of British, who drove in his advanced parties, and entered the town in the evening, with the intention of giving him battle the next morning. The two armies were separated only by a narrow creek which runs through the town. In such a position it should seem to be impossible that any movement on the one side or on the other could pass unobserved. But in the darkness of the night, Washington, leaving his fires lighted, and a few guards to attract the attention of the enemy, quitted his encampment, and, crossing a bridge over the creek, which had been left unguarded, directed his march to Princeton, where, after a short but brisk engagement, he killed 60 of the British, and took 300 prisoners. The rest of the royal forces were dispersed and fled in different directions. Great was the surprise of Lord Cornwallis, who commanded the British army at Trenton, when the report of the artillery at Princeton, which he at first mistook for thunder, and the arrival of breathless messengers, apprized him that the enemy was in his rear. Alarmed by the danger of his position, he commenced a retreat; and, being harassed by the militia and the countrymen who had suffered from the outrages perpetrated by his troops on their advance, he did not deem himself in safety till he arrived at Brunswick, from whence, by means of the Raritan, he had a communication with New York.

This splendid success inspired the

Americans with renewed spirits. Recruits were readily raised for their army, which took up its winter quarters at Morristown, about thirty miles to the northward of Brunswick: here both the officers and soldiers were inoculated for the small-pox. During this interval of comparative leisure, Washington urgently renewed the representations which he had before frequently made to the congress, of the necessity of abandoning the system of enlisting men for limited terms of service. The dread justly entertained by that body of a standing army had hitherto induced them to listen coldly to his remonstrances on this point. But the experience of the last campaign corrected their views, and they resolved to use their utmost exertion to raise an army pledged to serve till the conclusion of the war. The free spirit of the Americans, however, could not brook enlistment for a time so undefined, and the congress therefore issued proposals for a levy of soldiers to be engaged for three years, at the same time offering a bounty of 100 acres of land to those who would accept their first proposals. Though these measures in the end proved effectual, their accomplishment was slow, and in the spring of 1777, Washington's whole force did not amount to more than 1500 men; but with these inconsiderable numbers he so disposed his posts, that with the occasional assistance of the New Jersey militia and volunteers, he for some weeks kept the British in check at Brunswick. At this period, the difficulties under which he had so long laboured from the want of arms and military stores, were alleviated by the arrival of upwards of 20,000 muskets and 1000 barrels of powder, which had been procured in France and Holland by the agency of the celebrated dramatist, Carron de Beaumarchais.

Late in the spring of 1777, however, the utmost exertions of congress in forwarding the recruiting service could put no more than 7272 effect *ve* men at the disposal of General Washington. With this small force it was manifestly his policy to gain time, and by occupying advantageous ground, to avoid being forced to a general engagement. With a view, however, of inspiring his countrymen, he took the field before the enemy had quitted their winter-quarters, and towards the end of May he made a movement from Morristown to Middlebrook, where he encamped in a strong

position. General Howe no sooner heard that the Americans were in motion, than he advanced from Brunswick to Somerset-court House, apparently with an intention of pushing for the Delaware; but the country rising in arms on every side of him, he was deterred from prosecuting this design, and hastily measured back his steps to his former position. On their retreat, his troops committed great ravages, and particularly incensed the inhabitants by burning some of their places of worship. After frequently trying in vain to entice Washington from his strong position, General Howe at length retired to Ambroy. There learning that his adversary had descended to Quibbletown, he hastened back to attack him; but had the mortification on his arrival at the spot lately occupied by the Americans, to learn that his vigilant foe had withdrawn into his fastnesses. Despairing of being able to penetrate into Pennsylvania by the way of the Jerseys, he passed over into Staten Island, from which point he resolved to prosecute the future views of his campaign by the assistance of his fleet. What those views might be, it was difficult for Washington to ascertain. The whole coast of the United States was open to the British commander-in-chief. He might at his pleasure sail to the north or to the south. General Washington was inclined to believe that his intention was to move up Hudson's river to co-operate with General Burgoyne, who was advancing with a large army on the Canadian frontier; and, impressed with this idea, he moved a part of his army to Peek's Kill, whilst he posted another portion at Trenton, to be ready, if required, to march to the relief of Philadelphia. Whilst he was in this state of uncertainty, he received intelligence that Howe had embarked with 16,000 men, and had steered to the southward. Still apprehending that this might be a feint, he cast an anxious eye to the northward, till he was further informed that the British general, after looking into the Delaware, had proceeded to the Chesapeake. The plans of the invaders were then clearly developed. It was evident that they intended to march through the northern part of the state of Delaware, and take possession of Philadelphia. Much time was lost to the British by their voyage, in consequence of unfavourable winds. Though they set sail on the 23rd of July, they

did not arrive at Elk-ferry, the place fixed upon for their landing, till the 25th of August. General Howe had no sooner disembarked his troops than he advanced through the country by forced marches, to within two miles of the American army, which, having proceeded rapidly from Jersey to the present scene of action, was stationed at Newport.

§ 21. *Capture of Philadelphia,  
26th September, 1776.*

On the approach of the enemy General Washington resolved to dispute their passage over the Brandywine Creek. In taking this step he appears to have acted contrary to his better judgment. By throwing himself upon the high ground to his right, he might have brought on a war of posts, much better adapted to the capacities of his undisciplined forces, than a battle fought on equal terms. But he dreaded the impression which would be made upon the public feeling, should he leave the road to Philadelphia open, and yielded to the general voice which called upon him to fight for the preservation of the seat of the American government. The action was fought at Chadd's ford, on the Brandywine, on the 11th of September. On this occasion Howe shewed his generalship by the skilfulness of his combinations. While a part of his army, under the command of General Knyphausen, made a false attack at the ford, a strong column, headed by Lord Cornwallis, crossing the Brandywine at its fork, turned the left of the Americans, and Knyphausen forcing a passage at that moment of alarm and confusion, the Americans gave way, and retired to Chester, their retreat being covered by Wooster's brigade, which preserved its ranks unbroken. Their loss in killed and wounded amounted to 1200. Among the latter was the Marquis de la Fayette, who, inspired with zeal for the cause of freedom, had, at the age of nineteen, quitted his country at considerable hazard, and entered into the American army, in which he at once obtained the rank of major-general. By the event of the battle of the Brandywine the country was in a great degree open to the British. Washington in vain made one or two attempts to impede their progress, and on the 26th of September, General Howe made his triumphant entry into Philadelphia. On

his approach the congress, who had returned thither from Baltimore, once more took flight, and withdrew first to Lancaster and afterwards to York town.

General Howe, on marching to the Pennsylvanian capital, had left a considerable number of troops at Germantown, a few miles from that place. As these were unsupported by the main body of his army, General Washington determined upon an attempt to cut them off. His plan was well laid, and the forces which he despatched on this expedition took the enemy by surprise, and at first drove all before them. But a check having been given them by a small party of the British who had thrown themselves into a stone house, they were soon opposed by the fugitives who had rallied in force, and obliged to retreat with loss.

When General Howe quitted New York for the purpose of gaining possession of Philadelphia, he was deterred from making his approaches by the Delaware, by the preparations made by the Americans to obstruct the navigation of that river. The principal of these consisted of a fort erected on Mud Island, which is situated in the middle of the river, about seven miles below the city. On a height on the Jersey side of the river, called Red Bank, they had erected a strong battery. The channels on both sides of Mud Island were closed by strong and heavy chevaux de frize, through which was left a single passage closed by a boom. As it was absolutely necessary to make himself master of these works, in order to open a communication with his fleet, General Howe gave orders that they should be forced. In his first attack he was unsuccessful. In storming the battery of Red Bank, Count Donop was mortally wounded, and his troops were repulsed with considerable loss. But the bulk of the chevaux de frize having, by diverting the current of the river, deepened the channel on the Pennsylvania side of Mud Island, a ship of war mounted with twenty-four pounders was warped through it into a position where she could enfilade the fort, which, being no longer tenable, the garrison retired from it to Red Bank. By these operations General Howe obtained full command of the Delaware, and by its means every facility for the conveyance of supplies to his army.

Mr. Hancock having on the 29th of

October of this year resigned the presidency of congress, on the 1st of November ensuing, Mr. Henry Laurens was appointed to succeed him.

### § 22. *Burgoyne's Expedition.*

When the news of General Howe's successes arrived in England, the great majority of the nation were transported with joy. In the defeat of Washington, the capture of Philadelphia, and the expulsion of the congress, the members of which were represented as miserable fugitives, seeking in trembling anxiety for a temporary shelter from the vengeance of the law, they fondly saw an earnest of the termination of the war by the submission of the rebels. But their exultation was speedily damped by the annunciation of the capture by these very rebels of a whole British army.

A cursory inspection of the map of the United States will suffice to shew, that for the purpose of their subjugation it was at this period of high importance to the British to form a communication with Canada by means of Hudson's River. This would have intersected the insurgent provinces, and by cutting off their intercourse with each other, and by hemming in the eastern states, which the British ministry regarded as the soul of the rebellious confederacy, would have exposed them to be overrun and conquered in detail. General Howe, therefore, was directed by the ministry to operate with a part of his army northwards from New York, whilst General Burgoyne was instructed to enter the state of New York by its north-western frontier, and to make his way good to Albany, where it was intended that he should form a junction with the forces which Howe should send to co-operate with him. The expediency of this plan was so obvious that it did not escape the foresight of the Americans, who, in order to obviate it, had strongly fortified Ticonderoga, and the adjacent height of Mount Independence. They had also taken measures to obstruct the passage from Lake Champlain, and had moreover strengthened the defences of the Mohawk river. For garrisoning these posts, and for conducting the requisite operations in the field, they gave orders to raise an army of 13,600 men.

The British army destined to act under Burgoyne consisted of 7000 regulars, furnished with every requisite

for war, especially with a fine train of artillery. These were supported by a number of Canadians, and a considerable body of Indians. It was arranged in the plan of the campaign, that whilst Burgoyne, at the head of these forces, should pour into the state of New York, from Lake Champlain, a detachment under the command of Colonel St. Leger should march towards Lake Ontario, and penetrate in the direction of Albany, by the Mohawk river, which falls into the Hudson a little above that town.

General Burgoyne arrived at Quebec on the 6th of May, and immediately putting himself at the head of his army, he proceeded up Lake Champlain to Crown Point. Here he was joined by the Indians, to whom he made a speech, in which he inculcated upon them the virtue of mildness, and strictly forbade them to destroy any persons except in battle. An ancient Iroquois chieftain, in the name of his comrades, promised strict compliance with the general's injunctions. From Crown Point the royal army directed its march to Ticonderoga. Here General Burgoyne expected to encounter a powerful opposition, as he well knew that the Americans had flattered themselves that by the fortifications which they had erected on it, they had rendered it almost impregnable. But the forces which had been destined to its defence had not arrived. General St. Clair had not men enough to man his lines. He saw his position nearly surrounded by the enemy, who were erecting a battery on a hill which commanded his intrenchments. In these circumstances, a council of war unanimously recommended to their commander the evacuation of Ticonderoga, which he effected with such good order and secrecy, that he was enabled to bring off a great part of the public stores. He left behind him, however, ninety-three pieces of ordnance, which fell into the hands of the British. The retreating Americans took the road to Skeensborough, which is situated at the southern extremity of Lake George. In their flight they were briskly pursued by General Fraser by land, whilst Burgoyne attacked and destroyed their flotilla on Lake George; and so closely were they pressed by this combined movement, that they were compelled to set fire to their stores and boats at Skeensborough, and take refuge in Fort Anne, a few miles to the

southward of that place. Here, however, they did not long find shelter. Their rear guard was attacked and routed by Colonel Fraser, at Hubberdton; and Lieutenant-Colonel Hill having been sent forward from Skeensborough, by General Burgoyne, with the 9th regiment of foot, to make an assault on Fort Anne, the provincials, after a short, but brisk engagement, withdrew to Fort Edward, which is situated on the Hudson river. Here their scattered forces being collected, were found to amount to no more than 4400 men, who being unable to cope with their victorious pursuers, soon found themselves under the necessity of making another retrograde movement in the direction of Albany. This long series of successes filled the minds of the British with exultation. They had beaten the enemy in every encounter; had forced them from their fastnesses, and entertained sanguine hopes of driving them before them till the co-operating force which they presumed General Howe was sending up the Hudson should intercept their retreat, and put them between two fires. Burgoyne issued proclamations in the style of a conqueror, summoning the inhabitants of the district in which he was operating to aid his pursuit of the fugitive rebels. The assistance which he called for was very necessary, not for pursuit, but defence—his difficulties were now commencing. Instead of falling back from Skeensborough to Ticonderoga, and advancing from the latter place by Lake George, (a movement which he declined, as having the appearance of a retreat,) he determined to march across the country from Skeensborough to Fort Edward; but the road was so broken up—it was so intersected with creeks and rivulets, the bridges over which had been broken down, and so much embarrassed with trees cut down on each side, and thrown across it with entangled branches, that it was with immense labour he could advance a mile a day. When he had at length penetrated to Fort Edward, which he reached on the 30th of July, he found it abandoned by the enemy, who by their retreat left free his communication with Lake George, from which he obtained supplies of stores and provisions conveyed by land from Fort George to Hudson's river, and thence floated down to his camp.

§ 23. *Failure of Burgoyne's Expedition.* This delay gave the Americans time to recover from the consternation into which they had been thrown by the loss of Ticonderoga, and the subsequent misfortunes of their army. Determined to make amends for their previous dilatoriness by instant activity, they flew to arms. The plundering of Jersey had taught them that peaceable conduct and submission afforded no protection against British rapine; and they were persuaded, that whatever might be the wishes of General Burgoyne, he had not power to restrain his Indian auxiliaries from practising their accustomed savage mode of warfare. Looking for safety, then, only to their swords, and judging from their knowledge of the country, that the farther the British commander advanced, the greater would be his difficulties, they hastened their reinforcements from every town and hamlet in the vicinity of the seat of war, and soon increased the army of St. Clair to the number of 13,000 men.

Whilst General Burgoyne was making his way to the Hudson, Lieutenant-Colonel St. Leger had arrived at the Mohawk river, and was laying siege to Fort Schuyler. Receiving intelligence that General Harkimer was hastening at the head of a body of troops to the relief of the place, he sent a detachment with instructions to lie in ambush on his line of march, and to cut him off. These instructions were so well obeyed, that Harkimer fell into the snare, his troops were dispersed, and he himself was killed. St. Leger now entertained sanguine hopes of speedily taking the fort; but the Indians who composed a considerable part of his little army, taking alarm at the news of the approach of General Arnold, at the head of a detachment, whose numbers were purposely exaggerated by an American emissary in their camp, insisted on an immediate retreat. This mutiny compelled St. Leger to raise the siege, and to retire to Canada, leaving behind him a great part of his artillery and stores.

When General Burgoyne was informed of the arrival of St. Leger before Fort Schuyler, he thought it very expedient to make a forward movement towards Albany, for the purpose of co-operating with that officer, and also with the British troops who were, as he

expected, advancing up the Hudson. The principal objection to this step was, that it would necessarily remove him to a perilous distance from his supplies, which were collected at Fort Edward. With a view, therefore, of procuring a plentiful stock of provisions from a nearer point, he despatched Lieutenant-Col. Baum with 600 men, of whom 100 were Indians, with instructions to seize and convey to his camp a considerable magazine of flour and other supplies which the Americans had established at Bennington, in the district of Vermont. Baum, being erroneously informed that the inhabitants of that part of the country were favourably disposed towards the British, marched forwards without due precaution, till, on approaching Bennington, he found the enemy assembled in force in his front. In this exigency he took possession of an advantageous post, where he entrenched himself, and sent to Burgoyne for succour. Colonel Breyman was detached to reinforce him; but before the arrival of that officer, the fate of his countryman was decided. Baum had been attacked by the American general Starkie, had lost his field-pieces, and had witnessed the death or capture of most of his detachment. On his arrival at the scene of slaughter, Breyman was also vigorously assailed, and compelled to retreat with the loss of his artillery.

The failure of this expedition was most disastrous to the British commander-in-chief, who, being disappointed of receiving the expected supplies from Vermont, was obliged to await the arrival of provisions from Fort George, by which he was delayed from the 15th of August to the 13th of September. This interval of time was well improved by the Americans, who, flushed with their success against Baum and Breyman, pressed on the British with increased numbers and increased confidence. They were also cheered to vigorous exertion by the arrival at this critical moment of General Gates, who was commissioned by Congress to take the command of the Northern army.

After most anxious deliberation, General Burgoyne, having by extraordinary exertions collected provisions for thirty days, crossed the Hudson river on the 13th of September, and advanced to within two miles of General Gates's

camp, which was situated about three miles to the northward of Stillwater. Gates boldly advanced to meet him, and a hard fought battle ensued, which, though not decisive, was very detrimental to the British, as it shook the fidelity of their Indian allies and of the Canadians, who now began to desert in great numbers. The desertion of the Indians was accelerated by the following tragical incident. Miss M'Rea, an American lady, who resided in the vicinity of the British encampment, being engaged to marry Captain Jones, an officer of Burgoyne's army, her lover, being anxious for her safety, as he understood that her attachment to himself and the loyalty of her father had rendered her an object of persecution to her countrymen, engaged some Indians to escort her within the British lines, promising to reward the person who should bring her safe to him, with a barrel of rum. Two of these emissaries having found the destined bride, and communicated to her their commission, she, without hesitation, consented to accompany them to the place of meeting appointed by Captain Jones. But her guides unhappily quarrelling on the way, as to which of them should present her to Mr. Jones and receive the promised recompence, one of them, to terminate the dispute, cleft her skull with his tomahawk, and laid her dead at his feet. This transaction struck the whole British army with horror. General Burgoyne, on hearing of it, indignantly demanded that the murderer should be given up to condign punishment. Prudential considerations, however, prevented his being put to death, as he well deserved. Burgoyne was of opinion, that his pardon upon terms would be more efficacious in preventing further barbarities than his execution: he, therefore, spared his life, upon condition that his countrymen would, from that time forth, abstain from perpetrating any cruelties on the unarmed inhabitants, or on those whom they had vanquished in battle. As the Earl of Harrington at a subsequent period stated in his examination before the House of Commons, he told their interpreter "that he would lose every Indian rather than counseil at their enormities." The savages at first seemed willing to comply with his renewed injunctions; but resentment rankled in their breasts at his interference with their habits of warfare, the respect with

which they had once looked up to him was impaired by their knowledge of the difficulties of his situation, and they soon began to quit the camp, loaded with their accumulated plunder. Thus checked in his progress, and deserted by his allies, Burgoyne sent urgent letters to Sir Henry Clinton, who commanded at New York, entreating him to hasten forwards the co-operative forces on which he relied for safety and success, and apprizing him that want of provisions would preclude him from remaining in his present position beyond the 12th of October. This renewed delay dispirited his own troops, and swelled the numbers of the hostile army, which received recruits from every quarter. On the 7th of October, Burgoyne in person, accompanied by Generals Phillips, Reidesel, and Fraser, issued from his camp at the head of 1500 men, for the purpose of making a reconnaissance and of foraging. This movement brought on a general engagement, at the close of which the British were driven within their lines, and a part of them was forced. This circumstance compelled Burgoyne to change his position, which manœuvre he performed in a masterly manner, and without sustaining any loss. It was, indeed, from this time, the policy of the American general to avoid a pitched battle, and to reduce his enemy by harassing him and cutting off his retreat, and depriving him of supplies.

The situation of General Burgoyne was most distressing. By extraordinary efforts he had forced his way to within a few miles of Albany, the point of his destination, and had he been seconded by correspondent exertions on the part of the British Southern army, he would have effected the object of his campaign. Sir Henry Clinton seems to have had no precise or early instructions as to co-operating with him. Certain it is, that it was not till the third of October that he moved up the Hudson to his assistance. Sir Henry easily surmounted every obstacle which presented itself on his route. He took Fort Montgomery by assault, and by removing a boom and chain which was stretched from that fortress across the Hudson, he opened the navigation of that river to his flotilla, which, with a fair wind might have speedily made its passage to Half Moon, within sixteen miles of Gates's encampment. But instead of hastening to the relief of their countrymen, the several divisions of

Clinton's army employed themselves in plundering and burning the towns and villages situated on the banks of the river, and in the adjacent country. Amongst those who distinguished themselves in this predatory warfare, General Vaughan rendered himself pre-eminently conspicuous. Having been ordered to advance up the river, by Sir Henry Clinton, he landed at the town of *Æsopus*, and finding it evacuated by the American forces, to whom its defence had been intrusted, though he did not encounter the slightest opposition on the part of the inhabitants, he permitted his troops to plunder it, and afterwards so completely reduced it to ashes, that he did not leave a single house standing. This outrage excited a cry of indignation throughout the United States, and drew from General Gates a letter of severe remonstrance. But the British had much more reason to inculpate Vaughan than the Americans. His delay at *Æsopus* sealed the ruin of the Royal cause. Vaughan was at *Æsopus* on the 13th of October. The tide of flood would have borne him, in four hours, to Albany, where he might have destroyed Gates's stores, and thus have reduced the American general to the necessity of liberating General Burgoyne, who did not surrender till the 16th, and of retreating into New England. Upon such narrow turns of contingencies does the issue of the combinations of warfare frequently depend?

§ 24. *Convention of Saratoga,*  
13th October, 1777.

In the mean time, the difficulties in which Burgoyne was involved were hourly accumulating. With a view of cutting off his retreat, Gates posted 1400 men opposite the fords of Saratoga, and 2000 more on the road from that place to Fort Edward. On receiving intelligence of this, Burgoyne retreated to Saratoga, leaving his sick and wounded to the humanity of the enemy. Finding it impossible to force his way over the fords of Saratoga, he attempted to open to his army a passage to Lake George; but the artificers whom he sent under a strong escort to repair the bridges on the road thither were driven away by the American forces. The road to Fort Edward, also, was found by the scouts who had been sent to reconnoitre in that direction, to be strongly guarded. When the 13th day of October arrived, Burgoyne had received no satisfactory

tidings from Clinton's army. He saw himself in a manner surrounded by the enemy, whose cannon-shot flew in every direction through his camp. Though he had for some time past put his troops on short allowance, he found on inspection that he had only three days' rations left in his stores. In these trying circumstances, with heavy heart he summoned a council of war, which came to a unanimous resolution, that in their present position they would be justified in accepting a capitulation on honourable terms. A negotiation was accordingly opened. The first proposal of Gates, namely, that the royal forces should ground their arms in their lines, and surrender prisoners at discretion, was indignantly rejected. After further discussion, a convention was at length agreed upon, the principal conditions of which were, "that the British troops were to march out of their camp with the honours of war and the artillery of the entrenchments to the verge of the river, where the arms and the artillery were to be left; the arms to be piled by word of command from their own officers; and that a free passage was to be granted to the army to Great Britain, upon condition of not serving again in North America during the present contest." Though the first proposals of General Gates were harsh, his subsequent conduct was marked with the characteristics of conciliation and delicacy. When the convention was signed, he withdrew his troops into their lines, to spare the British the pain of piling their arms in the presence of a triumphant enemy. He received the vanquished general with the respect due to his valour and to his military skill; and in an entertainment which he gave at his quarters to the principal British officers, his urbanity and kindness soothed the mortification which could not but embitter their spirits.

By the convention of Saratoga, 5790 men surrendered as prisoners; and besides the muskets piled by these captives, thirty-five brass field-pieces, and a variety of stores were given up to the victors.

§ 25. *Treaty with France, 6th February, 1778.*

Immediately after the surrender of Burgoyne, Gates moved down the Hudson to put a stop to the devastation of the country by Clinton's army, which,

on his approach, retired to New York. He then sent forward a considerable reinforcement to General Washington, who soon after its arrival advanced to White Marsh, within fourteen miles of Philadelphia, where he encamped in a strong position. When General Howe received intelligence of this movement, he marched out of his quarters on the night of the 4th of December; but after various manoeuvres, finding that he could gain no advantage over his vigilant adversary, he returned to Philadelphia. Washington then took up his winter-quarters about sixteen miles from the city, at a place called Valley Forge, where his men, ill-supplied as they were with clothing, blankets, and other comforts, cheerfully constructed huts to shelter themselves from the inclemency of the season. By taking up this position he protected the province of Pennsylvania from the incursions of the enemy, and reduced the fruits of Howe's various successes to the occupation of a single additional city—an advantage by no means calculated to console the British for the loss of an able general, and a gallant army.

General Burgoyne had drunk deep of the bitter cup of affliction at Saratoga; but he was doomed to suffer still farther mortification. As the British regarded the Americans as rebels, they did not always in the course of hostilities observe towards them those rules which guide the conduct of nations engaged in war against a foreign enemy. The truth of history, indeed, cannot suppress the melancholy fact, that at the beginning of the contest, and, occasionally, during its progress, the treatment of the American prisoners, on the part of the British authorities, was extremely harsh and severe; and that capitulations made with such portions of the patriotic army, as had by the fortune of war been reduced to a surrender, had not always been observed with courtesy, or even with a due and strict regard to their essential provisions. The Congress, reflecting on these incidents, felt no small apprehension that if the army which had surrendered at Saratoga should be allowed to embark, instead of sailing for England, according to the terms of the capitulation, it would join the forces of General Howe. They therefore studied to find a pretext for breaking the convention. For this purpose they addressed a number of queries to General Gates, as to the man-

ner in which the British had fulfilled the conditions of their surrender, but he assured them that on the part of the British the convention had been exactly observed. The pretext, however, which they could not obtain from their gallant countryman, was supplied by the imprudence of Burgoyne. Among other articles of the convention, it had been stipulated that the captive British officers should, during their stay in America, be accommodated with quarters correspondent to their rank. This stipulation having been but ill observed in the crowded barracks at Cambridge, near Boston, where the surrendered army was quartered, Burgoyne addressed to Gates a letter of remonstrance on this subject, in which he declared that by the treatment which his officers had experienced, "the public faith plighted at Saratoga, had been broken on the part of the United States." Gates, in the discharge of his duty, transmitted this letter to congress, who read it with joy; and affecting to find in the phrase above quoted, a pretext set up by the British general to vindicate a meditated violation of the convention, they resolved that "the embarkation of General Burgoyne and the troops under his command should be suspended till a distinct and explicit ratification of the convention of Saratoga should be properly notified by the court of Great Britain." In vain did Burgoyne remonstrate against this resolution—in vain did he explain his phraseology, and offer to give any conceivable pledge of the sincerity of his intentions to fulfil his engagements. The congress was inexorable—his troops remained as prisoners; and after wasting some time in vain endeavours to procure them redress, he sailed on his parole for England, where he was refused admittance into the presence of his sovereign, denied the justice of a court-martial on his conduct, and subjected to a series of ministerial persecutions—grievous, indeed, to a sensitive mind, but, in effect, more disgraceful to their inflictors than to their victim.

At the time when the American leaders contemplated the declaration of independence, they entertained sanguine hopes that the rivalry which had so long subsisted between France and England would induce the former power to assist them in throwing off the yoke of the mother country; and early in the year 1773, the congress sent Silas Deane as their accredited agent to

Paris, where he was afterwards joined by Dr. Franklin and Arthur Lee, and instructed to solicit the French court to enter into a treaty of alliance and commerce with the United States. The celebrity of Franklin gained him the respect, and his personal qualities obtained him the esteem of individuals of the highest rank in the French capital. But the Comte de Vergennes, then prime minister, acted with caution. He gave the Americans secret aid, and connived at various measures which their agents took to further their cause, by the procuring of arms and military stores, and by annoying the British commerce. The encouragement which Franklin and his associates received varied according to the success or disasters of the American forces. But the capture of Burgoyne's army decided the hesitating councils of France; and on the 6th of February, 1778, his Most Christian Majesty acknowledged and guaranteed the independence of the United States, and entered into a treaty of alliance and commerce with the infant republic of North America. Of this circumstance the French ambassador, on the 13th of March, gave official notice to his Majesty's ministers in a rescript couched in respectful terms, but concluding with an intimation, "that the French king, being determined effectually to protect the lawful commerce of his subjects, and to maintain the dignity of his flag, had, in consequence, taken effectual measures for these purposes, in concert with the United States of America." With whatever urbanity this communication might be made by the ambassador, the British ministers regarded it, as it was intended to be, as a declaration of war; and on the 17th of March they notified its reception to the House of Commons. Their notification was accompanied by a message from the king, expressing the necessity he was under to resent this unprovoked aggression, and his firm reliance on the zealous and affectionate support of his faithful people. To this message the Commons returned a dutiful answer, assuring his Majesty that they would stand by him in asserting the dignity of the crown, and the honour of the nation.

#### § 26. *Rejection of Lord North's Overtures, June 1778.*

The intelligence of the surrender of General Burgoyne and his army over-

whelmed Lord North with dismay; and the annunciation of the treaty between the United States and France at once dissipated the feeble hope which he might yet have entertained of subduing the revolted colonies by force of arms. His only remaining resource, then, to prevent that jewel from being for ever torn from the British crown, was to form, by an act of parliament, a kind of federal union with the North American provincers, which, whilst it reserved their allegiance to the British sovereign, should virtually concede to them the entire management of their internal concerns. With this view, on the 17th of February, 1778, he introduced into the House of Commons two conciliatory bills, by which he proposed to concede to the colonies every thing which they had demanded before their declaration of independence, viz., exemption from internal parliamentary taxation, the appointment of their own governors and superior magistrates; and moreover, an exemption from the keeping up of any military force in any of the colonies without the consent of their respective assemblies. It was provided that commissioners should be appointed by the crown, to negociate with the congress on the basis of these propositions. The speech in which his lordship introduced these bills into the House of Commons was marked by a curious mixture of humiliation of tone, and affected confidence and courage. The coercive acts, which under his influence had been passed into laws, were, said he, such as appeared to be necessary at the time, though in the event they had produced effects which he had never intended. As soon as he found that they had failed in their object, before a sword was drawn he brought forward a conciliatory proposition (meaning the act for admitting to the king's peace any individual colonies which might make the requisite concessions); but that, in consequence of the proposition having been made the subject of debate in parliament, it went damned to America, so that the congress conceived, or took occasion to represent it, as a scheme for sowing divisions, and introducing taxation among them in a worse mode than the former. Then, making a fatal admission of the trifling nature of the object which had produced so much ill blood between the colonies and the mother-country, he confessed that his idea never had been to draw any con-

siderable revenue from America; that his wish was, that the colonists should contribute in a very low proportion to the expenses of Great Britain. He was very well aware that American taxation could never produce a beneficial revenue, and that many taxes could not be laid or collected in the colonies. The Stamp Act, however, seemed to be judiciously chosen as a fiscal experiment, as it interested every man who had any dealing or property to defend or recover, in the collection of the tax and the execution of the statute; but this experiment had failed in consequence of the obstinacy of the Americans in transacting all business without using the stamps prescribed by law. The act enabling the East India Company to send tea to America on their own account, and with the drawback of the whole duty in England, was a relief instead of an oppression; but this measure had been defeated by contraband traders, who had too successfully misrepresented it as an invasion of colonial rights. Having thus detailed the difficulties with which ministers had been called to struggle in legislating for so perverse a generation as the Americans had proved themselves to be, his lordship then proceeded to open his plan, the outline of which has been given above; and, in descanting on the ample powers with which he proposed to invest the commissioners, and foreseeing that the Americans might refuse to treat with these agents of the Sovereign without a previous acknowledgment of their independence, he humbled himself so far as to say that he would not insist on their renouncing their independence till the treaty should receive its final ratification from the King and parliament of Great Britain; and then, in a manner confessing that, instead of a sovereign assembly the parliament was reduced to the condition of a supplicant to the mutinous colonies, he proposed that the commissioners should be instructed to negociate with them for some reasonable and moderate contribution towards the common defence of the empire when reunited; but, to take away all pretence for not terminating this unhappy difference, the contribution was not to be insisted on as a *sine qua non* of the treaty; but that if the Americans should refuse so reasonable and equitable a proposition, they were not to look for support from that part of the empire to whose expense they had re-

fused to contribute. Weakly attempting to obviate the imputation that these pacific measures were the fruit of fear, occasioned by the recent successes of the insurgents, he called the House to witness that he had declared for conciliation at the beginning of the session, when he thought that the victories of General Howe had been more decisive, and when he knew nothing of the misfortunes of Burgoyne. He acknowledged that the events of the war had turned out very differently from his expectation, but maintained that for the disappointment of the hopes of the public no blame was imputable to himself; that he had promised that a great army should be sent out, and a great army, an army of upwards of 60,000 men, had been sent out; that he had promised that a great fleet should be employed, and a great fleet had been employed; that he had engaged that this army and this fleet should be provided with every kind of supply, and that they had been supplied most amply and liberally, and might be so for years to come; and that if the House was deceived, they had deceived themselves. The prime minister, having thus by implication attributed the failure of his plans to the commanders of the British forces employed to conduct the war, concluded his speech by a boastful assertion, that the strength of the nation was still entire; that its resources were ample, and that it was able, if it were necessary, to carry on the war much longer. The disavowal on the part of Lord North of any intention to raise a revenue in America, seems to have given no little umbrage to the country gentlemen, whose organ, Mr. Baldwin, exclaimed, that he had been deceived by the minister; that three years ago he had asked him whether a revenue was meant by the measures which he then proposed to enforce; that he was answered it was, and that upon that ground alone he had hitherto voted with the ministry. The regular opposition were, upon the whole, more moderate than the landed aristocracy. Mr. Fox approved of Lord North's propositions, which, he reminded him, were in substance the same as those which were in vain brought forward by Mr. Burke about three years before. He did not, however, restrain himself from making some severe animadversions on the policy of the Premier, all whose arguments, he asserted, might be collected

into one point, his excuses all reduced to one apology—his total ignorance. "He hoped," exclaimed the indignant orator, "he hoped, and was disappointed; he expected a great deal, and found little to answer his expectations. He thought the Americans would have submitted to his laws, and they resisted them. He thought they would have submitted to his armies, and they were beaten by inferior numbers. He made conciliatory propositions, and he thought they would succeed, but they were rejected. He appointed commissioners to make peace, and he thought they had powers; but he found they could not make peace, and nobody believed they had any powers. He had said many such things as he had thought fit in his conciliatory propositions; he thought it a proper method of quieting the Americans upon the affair of taxation. If any person should give himself the trouble of reading that proposition, he would find not one word of it correspondent to the representation made of it by its framer. The short account of it was, that the noble lord in the proposition assured the colonies, that when Parliament had taxed them as much as they thought proper, they would tax them no more." In conclusion, however, Mr. Fox said "that he would vote for the present proposition, because it was much more clear and satisfactory, for necessity had caused him to speak plain." The conciliatory bills, in their passage through the two Houses, excited many animated debates, in the course of which Lord North was exposed to much animadversion, which he seems to have borne with great equanimity. At length, all points relative to them being settled by Parliament, they were sanctioned by the Royal assent. But the urgency of danger would not allow ministers to wait till they were passed into a law; and the same statesmen who had a little time before treated the petitions of the colonies with scorn and contempt, hastened to communicate their propositions, whilst yet in the shape of bills, to the congress, in hopes that the adoption on their part of a milder policy might be met with a similar spirit of conciliation on the other side of the Atlantic. These documents were despatched in such haste, that they arrived at New York in time to be presented by Sir William Howe to the congress, before that assembly had received intelligence of the signature of their treaty of alliance with

France. The American legislators did not, however, hesitate as to the line of conduct which in these circumstances it became them to pursue. They emphatically rejected the proposals of Lord North as insidious and unsatisfactory. During the progress of the conciliatory bills, and after their passing, frequent and animated debates took place in both houses of parliament, relative to the foreign and domestic policy of the country. In the House of Lords, the Duke of Richmond took the lead in discussing these subjects, and on the 7th of April he made an impressive speech on the state of the nation, in which he maintained, that the salvation of the country required the withdrawing of the British troops from North America, and even not obscurely hinted that, for the acquisition of peace, it would be politic to agree to the independence of the colonies. As his grace's sentiments on the latter point were no secret, and as it was to be expected that he would propound them on this occasion, Lord Chatham, now labouring under the weight of seventy years, rendered more heavy by acute bodily suffering, regardless of his infirmities, attended in his place for the purpose of raising his voice against the duke's proposition. "My Lords," exclaimed the venerable orator, "I rejoice that the grave has not closed upon me, and that I am still alive to lift up my voice against the dismemberment of this ancient and most noble monarchy." He then proceeded, in the most energetic terms, to urge his auditors to the most vigorous efforts against their new enemy, the house of Bourbon; and concluded by calling upon them, if they must fall, to fall like men. The Duke of Richmond having replied to this speech, Lord Chatham attempted to rise for the purpose of rebutting his grace's arguments, and of proposing his own plan for putting an end to the contest with America, which is understood to have been the establishment with the colonies, upon the most liberal terms, of a kind of federal union under one common monarch. But the powers of nature within him were exhausted: he fainted under the effort which he made to give utterance to his sentiments, and being conveyed to his favourite seat of Hayes, in Kent, he expired on the 11th of May. This firmness on the part of congress augured ill for the success of the British commissioners, Lord Carlisle, Mr. Eden, and Governor Johnstone, who arrived

at New York on the 9th of June, and without loss of time attempted to open a negotiation with the congress. Their overtures were officially answered by President Laurens in a letter, by which he apprized them that the American government were determined to maintain their independence; but were willing to treat for peace with his Britannic Majesty on condition of his withdrawing his fleets and armies from their country. Thus foiled in their attempt at public negotiation, the commissioners had recourse to private intrigue. Governor Johnstone, from his long residence in America, was personally acquainted with many of the leading members of congress, to some of whom he addressed letters, vaguely intimating the great rewards and honours which awaited those who would lend their aid in putting an end to the present troubles; and in one instance, he privately offered to an individual, for his services on this behalf, the sum of 10,000*l.* sterling, and any place in the colonies in his majesty's gift. These clandestine overtures of the governor were uniformly rejected with contempt, and the congress having been apprized of them, declared them direct attempts at corruption; and resolved that it was incompatible with their honour to hold any correspondence or intercourse with him. This resolution, which was adhered to, notwithstanding the explanations and denials of Johnstone, and the disavowal of his proceedings by his brother commissioners, drew forth from these pacifiers an angry manifesto, in which they virtually threatened the Union with a war of devastation, declaring that "if the British colonies were to become an accession to France, the laws of self-preservation would direct Great Britain to render the accession of as little avail as possible to the enemy." Whilst congress gave notice that the bearers of the copies of this manifesto were not entitled to the protection of a flag, they shewed how little they dreaded the impression which it might make, by giving it an extensive circulation in their newspapers.

### § 27. *Arrival of the French Fleet.*

General Howe spent the spring of the year 1778 nearly in a state of inaction, confining his operations to the sending out of foraging and predatory parties, which did some mischief to the country,

but little service to the royal cause. From this lethargy he was roused by the receipt of orders from the British ministry, to evacuate Philadelphia without delay. These orders were sent under the apprehension, that if a French fleet should block up his squadron in the Delaware, whilst Washington inclosed him on the land side, he would share the fate of Burgoyne. On the 18th of June, therefore, he quitted the Pennsylvanian capital, and crossed into New Jersey, whither he was speedily followed by Washington, who, keeping a strict watch on his movements, had taken measures to harass him on his march, which was encumbered with baggage. The American commander, on his arrival at Princeton, hearing that General Clinton, with a large division of the British forces, had quitted the direct road to Staten Island, the place of rendezvous appointed for General Howe's army, and was marching for Sandy Hook, sent a detachment in pursuit of him, and followed with his whole army to support it; and as Clinton made preparations to meet the meditated attack, he sent forward reinforcements to keep the British in check. These reinforcements were commanded by General Lee, whom Washington, on his advancing in person, met in full retreat. After a short and angry parley, Lee again advanced, and was driven back; but Clinton's forces next encountering the main body of the American army, were repulsed in their turn, and taking advantage of the night, the approach of which in all probability saved them from utter discomfiture, they withdrew to Sandy Hook, leaving behind them such of their wounded as could not with safety be removed. For his conduct on this occasion, Lee was brought to a court-martial, and sentenced to be suspended from any command in the armies of the United States for the term of one year. After this engagement Washington marched to White Plains, which are situated a few miles to the north-eastward of New York Island. Here he continued unmolested by the neighbouring enemy, from the beginning of July, till the latter end of autumn, when he retired to take up his winter quarters in huts which he had caused to be constructed at Middlebrook in Jersey.

According to the prognostic of the British ministry, the Count d'Estaing, with a fleet of twelve ships of the line and

three frigates, arrived off the mouth of the Delaware in the month of July: but found to his mortification, that eleven days before that period Lord Howe had withdrawn from that river to the harbour of New York. D'Estaing immediately sailed for Sandy Hook; but after continuing at anchor there eleven days, during which time he captured about twenty English merchantmen, finding that he could not work his line-of-battle ships over the bar, by the advice of General Washington he sailed for Newport, with a view of co-operating with the Americans in driving the British from Rhode Island, of which province they had been in possession for upwards of a year and a half. This project, however, completely failed. Lord Howe appearing with his fleet off Newport, the French admiral came out of the harbour to give him battle; but, before the hostile armaments could encounter, a violent storm arose, which damaged both fleets so much, that the British were compelled to return to New York, whilst D'Estaing withdrew to refit in Boston harbour. His retirement subjected the American army, which had entered Rhode Island under General Sullivan, to great peril; but by the skill of its commander, it was withdrawn from the province with little loss. Towards the latter end of this year the British arms were signally successful in Georgia, the capital of which province was taken by Lieutenant-Colonel Campbell, who conducted himself with such prudence, and manifested so conciliatory a spirit, that he made no small advances in reconciling the Georgians to their ancient government.

The arrival of the French fleet had filled the Americans with sanguine expectations that they should now be able to put an end to the war by some decisive stroke; and in proportion to the elevation of their hopes was the bitterness of their mortification, that the only result of the co-operation of their ally was the recovery of Philadelphia. On the other hand, the British ministry were grievously disappointed on learning that the issue of this campaign, as far as regarded their main army, was the exchange by General Howe of his narrow quarters in the Pennsylvanian capital for the not much more extended ones of New York island. Hitherto they seem to have carried on the war under the idea that the majority of the inhabitants of the colonies were favourably disposed towards the royal government,

and were only restrained from manifesting their loyalty by a faction whom it would be easy with their assistance to subdue, but from this period they appear to have conducted their hostilities in a spirit of desperation and revenge.

### § 28. *Campaign of 1779.*

With a view of alarming the insurgent colonies by subjecting them to the unmitigated horrors of war, Sir Henry Clinton, on the 10th of May, 1779, sent an expedition into Virginia; under the command of Sir George Collyer and General Matthews, who, landing at Portsmouth, proceeded to Suffolk, which town they reduced to ashes, and after burning and capturing upwards of 130 vessels of different sizes, and devastating the country in their line of march, sailed back loaded with booty to New York. About five weeks after their return, Governor Tryon, having received orders to attack the coast of Connecticut, landed at East Haven, which he devoted to the flames, in violation of his promise of protection to all the inhabitants who should remain in their homes. Thence he proceeded to Fairfield and Norwalk, which were given up to plunder, and then destroyed. He effected this mischief with little loss in the space of ten days, at the end of which time he returned to the British head-quarters to make a report of his proceedings to the commander-in-chief. Whilst this mode of warfare was carrying on, Washington could spare very few men for the defence of the invaded districts. His attention was engrossed by the main army of the British, to keep which in check he posted his forces at West Point, and on the opposite bank of the Hudson, pushing his patrols to the vicinity of his adversary's lines. As the British occupied with a strong garrison Stoney Point, some miles to the south of his position, he, on the 15th of July, despatched General Wayne with a competent force to dislodge them from that important post. This attempt was crowned with success. Wayne took the British works by storm, and brought off 543 prisoners, fifteen pieces of cannon, and a considerable quantity of military stores. Washington did not, however, think it prudent for the present to attempt to establish himself at Stoney Point, and it was speedily re-occupied by the British. Another instance of the enterprising boldness of the Americans soon after

occurred in the surprise of the British garrison at Powles-Hook, opposite to New York, which was attacked on the 19th of July, by Major Lee, who stormed the works and took 160 prisoners, whom he brought safely to the American lines. The joy which the Americans felt at the success of these daring enterprises was, however, damped by the failure of an expedition undertaken by the state of Massachusetts to dispossess the British of a fort which they had erected at Penobscot in the district of Maine. They here lost the whole of their flotilla, which was destroyed or captured by Sir George Collyer, whilst their land forces were compelled to seek for safety by retreating through the woods.

Spain having now declared war against Great Britain, it was hoped by sanguine politicians, favourable to the cause of the new republic, that this additional pressure of foreign foes would compel the British ministry to withdraw their forces from North America. But the energies of the mother country were roused in proportion to the increase of her peril. Her fleets maintained their wonted sovereignty over the ocean, and her monarch was determined to strain every nerve to reduce his revolted colonies to obedience; and at this period the ease with which the reduction of Georgia had been effected, and the advantages which it might afford in making an attack upon the rest of the southern states, induced his ministers to renew their efforts in that quarter. The back settlements, as well as those of the Carolinas, abounded with enterprising men of desperate fortunes, as also with tories, who had been compelled, by the persecution which they sustained from the more ardent republicans, to withdraw into these wilds from the more settled part of the country. These adventurers and loyalists having joined the royal forces under the command of Major-general Prescot, which had also received reinforcements from Florida, that officer found himself in a condition to commence active operations. His preparations filled the neighbouring states with alarm. The American regular troops had, with few exceptions, been sent from the Carolinas to reinforce the army of General Washington; and the only reliance of the republicans in this portion of the Union rested on the militia, the command of which was delegated by congress to General Lincoln. On inspecting his forces, Lincoln

found 'them ill equipped and very deficient in discipline. In these circumstances the activity of the enemy did not allow him any time to train them. Soon after his arrival at head-quarters, a division of the royal army advanced under the command of Major Gardiner to take possession of Port Royal, in South Carolina, but was driven back with loss by General Moultrie. This repulse for a while suspended the enterprise of the British, who took post at Augusta and Ebenezer, situated on the Savannah River, which forms the boundary between Georgia and South Carolina. Here they waited in expectation of being joined by a body of tories, who had been collected in the upper parts of the latter province. But these obnoxious allies, giving way to long-smothered resentment, were guilty of such atrocities on their march, that the country rose upon them, and they fell an easy prey to a detachment commanded by Colonel Picken, sent to intercept them at Kettle Creek. Five of the prisoners taken on this occasion were tried and executed for bearing arms against the government of the United States. This proceeding led to acts of retaliation on the part of the tories and the king's troops, which for a long time gave in the southern states additional horror to the miseries of war. Emboldened by his success, Lincoln sent an expedition into Georgia, with a view of repressing the incursions of the enemy, but his forces were surprised by General Prevost, from whom they sustained so signal a defeat, that, of 1500 men, of which the expedition consisted, only 450 returned to his camp. In this emergency, the legislative body of South Carolina invested their governor, Mr. John Rutledge, and his council, with an almost absolute authority, by virtue of which a considerable force of militia was embodied and stationed in the centre of the state, to act as necessity might require. Putting himself at the head of these new levies, Lincoln again determined to carry the war into the enemy's quarters; and, crossing the Savannah near Augusta, marched into Georgia, and proceeded towards the capital of that province. Prevost instantly took advantage of this movement to invade South Carolina, at the head of 2400 men; and, driving Moultrie before him, pushed forward towards Charleston. At this time his supe-

riority appeared to be so decisive, that Moultrie's troops began to desert in great numbers, and many of the inhabitants, with real or affected zeal, embraced the royal cause. On his appearance before Charleston, the garrison of that place, which consisted of 3300 men, sent commissioners to propose a neutrality on their part during the remainder of the war. This proposal he rejected, and made preparations to attack the town, which was respectably fortified. But, whilst he was wasting time in negotiations, Lincoln was hastening from Georgia to the relief of the place; and on the near approach of the American army, fearing to be exposed to two fires, he withdrew his forces across Ashley River, and encamped on some small islands bordering on the sea-coast. Here he was attacked by Lincoln, who was, however, repulsed with loss, in consequence of the failure of a part of his combinations. Notwithstanding this success, the British general did not think it advisable to maintain his present position, but retreated to Port Royal, and thence to Savannah.

The Americans retired to Sheldon, in the vicinity of Beaufort, which is situated at about an equal distance from Charleston and Savannah. Here they remained in a state of tranquillity till the beginning of September, when they were roused from their inaction by the appearance off the coast of the fleet of D'Estaing, who had proceeded towards the close of the preceding year from Boston to the West Indies, whence, after capturing St. Vincent's and Granada, he had returned to the assistance of the allies of his sovereign. At the sight of this armament, which consisted of 20 sail of the line, and 13 frigates, the republicans exulted in the sanguine hope of capturing their enemies, or of expelling them from their country. The militia mustered with alacrity in considerable force, and marched under the command of General Lincoln to the vicinity of Savannah. Before their arrival, D'Estaing had summoned the town, and had granted to General Prevost a suspension of hostilities for 24 hours, for the purpose of settling the terms of a capitulation. But during that interval the British commander received a reinforcement of several hundred men, who had forced their way from Beaufort; encouraged by

which seasonable aid, he determined to hold out to the last extremity. The allied forces, therefore, commenced the siege of the place in form; but D'Estaing, finding that much time would be consumed in regular approaches, and dreading the hurricanes which prevail on the southern coast of America at that season, resolved on an assault. In conjunction with Lincoln, he led his troops to the attack with great gallantry; but the steadiness of the British won the day; and, after having received two slight wounds, he was driven back with the loss of 637 of his countrymen, and 200 of the Americans killed and wounded. At the close of the engagement D'Estaing retired to his ships, and departed from the coast, whilst Lincoln crossed the Savannah River, and returned, with his forces daily diminishing by desertion, to South Carolina. In proportion to the joy of the inhabitants of the southern states at the arrival of the French fleet, was their mortification at the failure of their joint endeavours to rid their provinces of an active enemy. The brave were dispirited by defeat, and the sanguine began to despair of the fortunes of their country. Those, however, who thought more deeply, took comfort from the consideration that the enemy had effected little in the course of the campaign, except the overrunning and plundering of an extensive tract of territory, and that they had been compelled to terminate their excursions by again concentrating themselves in Savannah.

§ 29. *Siege and Capitulation of Charleston, 12th May, 1780.*

The events which had occurred in South Carolina having persuaded Sir Henry Clinton that the cause of independence was less firmly supported there than in the northern states, he determined to make that province the principal theatre of the war during the ensuing campaign. Leaving, therefore, the command of the royal army in New York to General Knyphausen, on the 26th of December, 1779, he sailed from that city with a considerable force, and, after a stormy passage, on the 11th of the ensuing month he arrived at Tybee, in Georgia, at the mouth of Savannah River. Hence he proceeded to Ashley River, and encamped opposite to Charleston. On his arrival, the assembly of

the state of South Carolina broke up its sitting, after having once more delegated a dictatorial authority to Governor Rutledge, who immediately issued his orders for the assembling of the militia. These commands were ill obeyed. The disasters of the last campaign had almost extinguished the flame of patriotism; and each man seemed to look to his neighbours for those exertions which might have justly been expected from himself. On reconnoitring the works of Charleston, however, Sir Henry Clinton did not think it expedient to attack them till he had received reinforcements from New York and Savannah, on the arrival of which he opened the siege in form. Charleston is situated on a tongue of land, bounded on the west by Ashley, and on the east by Cooper's, Rivers. The approach to Ashley River was defended by Fort Moultrie, erected on Sullivan's Island; and the passage up Cooper's River was impeded by a number of vessels, connected by cables and chains, and sunk in the channel opposite to the town. On the land side the place was defended by a citadel and strong lines, extending from one of the above-mentioned rivers to the other. Before these lines Clinton broke ground on the 29th of March, and on the 10th of April he had completed his first parallel. On the preceding day, Admiral Arbuthnot, who commanded the British fleet, had passed Fort Moultrie with little loss, and had anchored near the town. About the 20th of April the British commander received a second reinforcement of 3000 men; and the place was soon completely invested by land and sea—his third parallel being advanced to the very edge of the American works. General Lincoln, who commanded in Charleston, would not have shut himself up in the town, had he not confidently expected relief from the militia, who had been called out by Governor Rutledge, and by whose assistance he imagined that he could, if reduced to extremity, have effected a retreat by crossing Cooper's River. But the few who, in this hour of difficulty, advanced to his aid, were cut off or kept in check; and the river was possessed by the enemy. In these distressful circumstances, after sustaining a bombardment which set the town on fire in different places, on the 12th of May he surrendered on a capitulation, the principal terms of which were, that "the

militia were to be permitted to return to their respective homes, as prisoners on parole, and while they adhered to their parole were not to be molested in person or property." The same conditions were also imposed on all the inhabitants of the town, civil as well as military.

Sir Henry Clinton now addressed himself to the important work of re-establishing the royal authority in the province; as a preliminary step to which, on the 1st of June, he issued a proclamation, offering to the inhabitants at large, on condition of their submission, pardon for their past offences, a reinstatement in their rights, and, what was of the most weighty importance, exemption from taxation, except from their own legislature. This proclamation was followed up by the posting of garrisons in different parts of the country, to protect the loyal and to awe the disaffected, and by the march of 2000 men towards North Carolina, on whose advance the American forces, who had tardily marched from that province to the relief of Charleston, retreated with loss. Thus crowned with success, Clinton, early in June, embarked, with the principal part of his forces, for New York, having delegated the completion of the subjugation of South Carolina to Lord Cornwallis, to whom he apportioned, for that purpose, an army of 4000 men.

### § 30. *Defeat of Gates's Army, by Lord Cornwallis, 15th August, 1780.*

When Lord Cornwallis took the command in South Carolina, the insurgents had no army in the field within 400 miles of that province, and the great body of the inhabitants had submitted either as prisoners or as subjects; and had they been suffered to remain in this state of quiet neutrality, they would have been happy to abide in peace the issue of the contest in the northern states. But his Lordship's instructions did not permit him to be contented with this passive obedience, and he proceeded to take measures to compel the South Carolinians to take up arms against their countrymen. With this view, he issued a proclamation, absolving from their parole all the inhabitants who had bound themselves by that obligation, and restoring them "to all the rights and *duties* belonging to citizens." What was meant by the ominous word "*duties*" was explained by another part of the proclamation, whereby it was declared "that it was proper for all persons to

take an active part in settling and securing his majesty's government," and that "whoever should neglect so to do should be treated as rebels." The Carolinians were indignant at this violation of the terms of their submission. Many of them resumed their arms; and though more, under the impression of fear, enrolled themselves as subjects, they brought to the royal cause a hollow allegiance which could not be trusted in the day of trial. A considerable number quitted the province, and hastened to join the army which congress was raising for the purpose of wresting it out of the hands of the enemy.

In organizing this force, congress had to struggle with the greatest difficulties. Their treasury was exhausted, and they were at this time occupied in making an equitable adjustment as to their paper money, on the strength of which they had undertaken the war, and which was now depreciated to the amount of forty for one—that is, one silver dollar was worth forty American paper dollars. Whilst their currency was in this state they were perpetually embarrassed in their purchases of arms, clothing, and stores; and when they had raised the men for the southern army, some time elapsed before they could procure the necessary funds to put them in motion. These difficulties being at length overcome, the Maryland and Delaware troops were sent forward, and began their march in high spirits on learning that the expedition, of which they formed a part, was to be commanded by General Gates. The hero of Saratoga, on joining the army in North Carolina, was advised to proceed to the southward by a circuitous route, where he would find plenty of provisions; but, conceiving it to be his duty to hasten with all speed to the scene of action, he preferred the straightforward road to Camden, which led through a desert pine barren. In traversing this dreary tract of country, his forces were worn out with fatigue and extenuated with hunger. The few cattle which his commissariat had provided having been consumed, his only resource for meat was the lean beasts which were accidentally picked up in the woods. Meal and grain were also very scarce; and as substitutes for bread, the soldiers were obliged to have recourse to the green corn and to the fruits which they met with on their line of march. The consequence of this unwonted diet was, that the army was

shunned by dysentery and other diseases usually caused by the heat of the weather and by unwholesome food. The soldiers at first bore these hardships with impatience, and symptoms of dissatisfaction and even of mutiny began to appear amongst them. But by the conciliatory exertions of the officers, who shared in all the privations of the common men, the spirit of murmuring was repressed, and the troops pursued their weary way with patience and even with cheerfulness. On their arrival at a place called Deep Creek, their distresses were alleviated by a supply of good beef accompanied by the distribution of half a pound of Indian corn meal to each man. Invigorated by this welcome refreshment, they proceeded to the cross-roads, where they were joined by a respectable body of militia under the command of General Caswell. Though Gates was aware that another body of militia were hastening to his assistance from the state of Virginia, he was prevented from waiting for their arrival by want of provisions, and, after staying for one day only at the cross-roads, finding that the enemy intended to dispute his passage by Lynch's Creek, he marched to the right towards Clermont, where the British had established a defensible post. On his approach to the latter place, however, Lord Rawdon, who commanded the advance of the British, concentrated all his forces at Camden, whilst Gates mustered the whole of his army at Clermont, which is distant from Camden about thirteen miles. These events occurred on the 13th of August, and on the next day the American troops were reinforced by a body of 700 of the Virginia militia. At the same time Gates received an express from Colonel Sumpter, who reported to him that he had been joined by a number of the South Carolina militia, at his encampment on the west side of the Wateree, and that an escort of clothing, ammunition, and other stores, was on its way from Charleston to Camden, and must of necessity, on its way to its destination, cross the Wateree at a ferry about a mile from that place. On receiving this intelligence, Gates sent forward a detachment of the Maryland line, consisting of 100 regular infantry and a company of artillery, with two brass field-pieces, and 300 North Carolina militia, all under the command of Lieutenant-Colonel Woodford, who was instructed to join General Sumpter, and assist him in intercepting the convoy.

At the same time General Gates made preparations for advancing still nearer Camden, in the expectation that if Lord Rawdon did not abandon that post as he had done that of Clermont, his supplies would be cut off by the bodies of militia which were expected to pour forth from the upper counties, and he would thus be compelled to a surrender. On reaching the frontier of South Carolina, Gates had issued a proclamation, inviting the inhabitants to join his standard, and offering an amnesty to such of them as, under the pressure of circumstances, had promised allegiance to the British Government. Though this proclamation had not been without effect, it had not called forth the numbers upon which the American general had been led to calculate; and, after the departure of Lieutenant-Colonel Woodford's detachment, the abstract of the field-returns submitted to him by his deputy adjutant-general indicated no more than between 4000 or 5000 men as constituting his disposable force. Gates, disappointed as he was by the scantiness of these returns, determined to persevere in his plan of offensive operations, and marched about ten at night on the 15th of August to within half a mile of Sander's Creek, about half-way between his encampment and Camden. Lord Cornwallis, who the day before had repaired to his headquarters at Camden, and had taken the command of the British army, was also resolved, though his forces amounted only to 2000 men, of whom 1700 were infantry and 300 cavalry, to attack the enemy in their camp, and advancing for that purpose, at half-past two in the morning, encountered their advanced parties near Sander's Creek. Here some firing took place with various success; but on the whole the British had the advantage in this night rencontre. Early on the ensuing morning both armies prepared for battle. On the side of the Americans, the second Maryland brigade, under the command of General Gist, occupied the right, which was flanked by a morass; the Virginia militia and the North Carolina infantry, also covered by some boggy ground, were posted on the left, whilst General Caswell, with the North Carolina division and the artillery, appeared in the centre. A *corps de reserve*, under the orders of General Smallwood, was posted about three hundred yards in the rear of the American line. In arranging the British forces Lord Cornwallis delegated

the command of the right to Lieutenant-Colonel Webster, who had at his disposal the 23d and the 33d regiments of foot. The left was guarded by some Irish volunteers, the infantry of the legion, and part of Lieutenant-Colonel Hamilton's North Carolina regiment, under the command of Lord Rawdon. The cavalry of the legion was stationed in the rear, where also the 71st regiment was stationed as a reserve. The respective armies being thus disposed, the action began by the advance of 200 of the British in front of the American artillery, which received them with a steady fire. Gates then commanded the Virginia militia to advance under the command of Colonel Stevens, who cheerfully obeyed the orders of his commander-in-chief, and, when he had led his men within firing distance, urged them to charge the enemy with their bayonets. This portion of the American army did not, however, emulate the gallantry of their leader. Lord Cornwallis, observing their movement, gave orders to Lieutenant-Colonel Webster to attack them. The British infantry obeyed his lordship's commands with a loud cheer. The American militia, intimidated by this indication of determined daring, were panic-struck, and the Virginians and the Carolinians threw down their arms and hastened from the field. The right wing and the *corps de reserve*, however, maintained their position, and even gained ground upon the enemy; but Lord Cornwallis, taking advantage of a favourable moment, charged them with his cavalry, and put them completely to the rout. The victors captured the whole of the baggage and artillery of the Americans, who were pursued by the British cavalry for the space of twenty miles; and so complete was their discomfiture, that on the second day after the engagement Gates could only muster 150 of his fugitive soldiers at Charleston, a town in the south of North Carolina, from whence he retreated still farther north to Salisbury, and thence to Hillsborough. The sickliness of the season prevented Lord Cornwallis from pursuing the broken remains of the enemy's army; but he employed the leisure now afforded him in inflicting vengeance on such of the inhabitants of South Carolina as had been induced, by the presence of Gates's army, to declare in his favour. The militia-men who had joined the republican standard, and had fallen into his

hands as prisoners, he doomed to the gallows. The property of the fugitives, and of the declared friends of independence, he confiscated. These acts, though severe, were perhaps justifiable by the strictness of the law. But neither in law nor in honour could his lordship justify the seizure of a number of the principal citizens of Charleston, and most of the military officers residing there under the faith of the late capitulation, and sending them to St. Augustin.

Reduced to desperation by these injudicious severities, the bold and active among the disaffected formed themselves into independent bands, under different chieftains, amongst whom Marion and Sumpter were distinguished by their spirit of enterprise. These harassed the scattered parties of the British, several of which they cut off; and by their movements the loyalists to the north of the Carolinas were kept in check. Eight of these chieftains having united their forces, attacked Major Ferguson, who had been sent to the confines of the two provinces to assemble the friends of the British government, and killed or wounded 250 of his new levies, and took 800 prisoners, Ferguson himself being amongst the slain. This success was followed by important results: Lord Cornwallis had marched into North Carolina, in the direction of Salisbury; but when he heard of the defeat and death of Ferguson, he retreated to Winnsborough in the southern province, being severely harassed in his retrograde movement by the militia and the inhabitants; and when he retired into winter-quarters Sumpter still kept the field.

In the mean time General Gates had collected another army, with which he advanced to Charlotte. Here he received intelligence that congress had resolved to supersede him and to submit his conduct to a court of inquiry. Mortified as he was by the ingratitude of his country, on the notification of this resolve of the supreme power he dutifully resigned his command. But on his way home from Carolina, his feelings were soothed by an address from the legislature of Virginia, assuring him that "the remembrance of his former glorious services could not be obliterated by any reverse of fortune."

§ 31. *Arrival of the French Auxiliaries under Rochambeau, 10th July, 1780.*

Whilst these events were occurring in the southern states, General Wash-

ington was obliged to confine himself to the irksome and inglorious task of watching, from his encampment at Morristown, the motions of the British on New York Island, and of restraining their incursions into the adjacent country. Though the army opposed to him was lessened by the detachment which Sir Henry Clinton led into South Carolina, his own forces were proportionably weakened by the reinforcements which it was necessary for him to send to the American army in the same quarter; and never did distress press more heavily upon him. The depreciation of the currency was at that time so great, that four months pay of a private would not purchase a single bushel of wheat. His camp was sometimes destitute of meat, and sometimes of bread. As each state provided for its own quota of troops, no uniformity could be established in the distribution of provisions. This circumstance aggravated the general discontent, and a spirit of mutiny began to display itself in two of the Connecticut regiments, which were with difficulty restrained from forcing their way home at the point of the bayonet. Of these discontents the enemy endeavoured to take advantage, by circulating in the American camp proclamations offering the most tempting gratifications to such of the continental troops as should desert the republican colours and embrace the royal cause. But these offers were unavailing; mutinous as they were, the malecontents abhorred the thought of joining the enemies of their country; and on the seasonable arrival of a fresh supply of provisions, they cheerfully returned to their duty. Soon after this, when General Knyphausen, who commanded the British forces in the absence of Sir Henry Clinton, made an irruption into Jersey, on the 16th of June, the whole American army marched out to oppose him; and though he was reinforced by Sir Henry Clinton, who during this expedition had arrived from Charleston, he was compelled to measure back his steps. Both the advance and retreat of the German were marked by the devastation committed by his troops, who burnt the town of Springfield and most of the houses on their line of march.

Alarmed by the representations made by General Washington, of the destitute condition of his army, congress sent three members of their body with instructions to inquire into the condition of their forces, and with authority to re-

form abuses. These gentlemen fully verified the statements of the commander-in-chief. No sooner was this fact known in the city of Philadelphia, than a subscription was set on foot for the relief of the suffering soldiers, which soon amounted to 300,000 dollars. This sum was entrusted to the discretion of a well chosen committee, who appropriated it to the purchase of provisions for the troops. The three commissioners also applied themselves diligently to the task of recruiting and reorganizing the army. They prescribed to each state the quota of forces which it was to contribute towards the raising of 35,000 men, their deficiency in regulars being to be supplied by draughts from their respective militia. The states of New England, Pennsylvania, and Virginia, promptly listened to the call of their country, and made extraordinary efforts to furnish their several quotas of recruits. The other members of the union exerted themselves to the best of their ability; and though the general result of these exertions did not produce the number of troops which was deemed requisite for the public service, more could not, in such circumstances, have been well expected.

The congress were the more earnest in their wishes to put their army on a respectable footing, as they were in expectation of the arrival of a body of auxiliary forces from France. This welcome aid appeared off Rhode Island on the 10th of July, 1780, on which day Monsieur Ternay sailed into the harbour of Newport with a squadron of seven sail of the line, five frigates, and five schooners, convoying a fleet of transports having on board 6000 men, under the command of the Count de Rochambeau. Admiral Arbuthnot, who had under his command, at New York, only four sail of the line, on hearing of the arrival of the French at Rhode Island, was apprehensive of being attacked by their superior force. But he was soon relieved from his fears by the vigilance of the British ministry, who, on the sailing of the French fleet from Europe, had sent to his assistance Admiral Graves, with six ships of the line. On receiving this reinforcement, he sailed for Rhode Island for the purpose of encountering the French squadron, whilst Sir Henry Clinton proceeded with 8000 men to the north of Long Island, for the purpose of landing on the opposite part of the continent, and attacking their land

forces. But the British admiral found the enemy's ships so well secured by batteries and other land fortifications, that he was obliged to content himself with blocking them up in their harbour; and Clinton, receiving intelligence that General Washington was preparing to take advantage of his absence by making an attack upon New York, hastened back to the relief of that place.

### § 32. *Treason of Arnold, and Death of André.*

Washington, on the retreat of General Clinton, withdrew to West Point, an almost impregnable position, situated about fifty miles to the northward of New York, on the Hudson River, by means of which he kept up a communication between the eastern and southern states; and having occasion, towards the end of the month of September, to go to Rhode Island to hold a conference with the French admiral and Count Rochambeau, he left the command of this important post to General Arnold, unconscious that in so doing he entrusted the fortunes of the infant republic to a traitor. Arnold was brave and hardy, but dissipated and profligate. Extravagant in his expenses, he had involved himself in debts, and having had, on frequent occasions, the administration of considerable sums of the public money, his accounts were so unsatisfactory, that he was liable to an impeachment on charges of peculation. Much had been forgiven indeed, and more would probably have been forgiven, to his valour and military skill. But alarmed by the terrors of a guilty conscience, he determined to get rid of pecuniary responsibility by betraying his country; and accordingly entered into a negociation with Sir Henry Clinton, in which he engaged, when a proper opportunity should present itself, to make such a disposition of his troops as would enable the British to make themselves masters of West Point. The details of this negociation were conducted by Major André, the adjutant-general of the British army, with whom Arnold carried on a clandestine correspondence, addressing him under the name of Anderson, whilst he himself assumed that of Gustavus. To facilitate their communications, the Vulture sloop of war was moved near to West Point, and the absence of Washington seeming to present a fit opportunity for the final

arrangement of their plans, on the night of the 21st of September, Arnold sent a boat to the Vulture to bring André on shore. That officer landed in his uniform between the posts of the two armies, and was met by Arnold, with whom he held a conference which lasted till day-break, when it was too late for him to return to the vessel. In this extremity, unfortunately for himself, he allowed Arnold to conduct him within one of the American posts, where he lay concealed till the next night. In the meantime the Vulture, having been incommoded by an American battery, had moved lower down the river, and the boatmen now refused to convey the stranger on board her. Being cut off from this way of escape, André was advised to make for New York by land; and, for this purpose, he was furnished with a disguise, and a passport signed by Arnold, designating him as John Anderson. He had advanced in safety near the British lines, when he was stopped by three New York militia-men. Instead of showing his pass to these scouts, he asked them "where they belonged to?" and, on their answering "to below," meaning to New York, with singular want of judgment, he stated that he was a British officer, and begged them to let him proceed without delay. The men, now throwing off the mask, seized him; and, notwithstanding his offers of a considerable bribe if they would release him, they proceeded to search him, and found upon his person papers which gave fatal evidence of his own culpability and of Arnold's treachery. These papers were in Arnold's handwriting, and contained exact and detailed returns of the state of the forces, ordnance, and defences of West Point and its dependencies, with the artillery orders, critical remarks on the works, an estimate of the number of men that were ordinarily on duty to man them, and the copy of a state of matters that had, on the sixth of the month, been laid before a council of war by the commander-in-chief. When André was conducted by his captors to the quarters of the commander of the scouting parties, still assuming the name of Anderson, he requested permission to write to Arnold, to inform him of his detention. This request was inconsiderately granted; and the traitor, being thus apprised of his peril, instantly made his escape. At this moment Washington arriving at West Point, was made acquainted with

the whole affair. Having taken the necessary precautions for the security of his post, he referred the case of the prisoner to a court-martial, consisting of fourteen general officers. Before this tribunal André appeared with steady composure of mind. He voluntarily confessed all the facts of his case. Being interrogated by the Board with respect to his conception of his coming on shore under the sanction of a flag, he ingenuously replied, that "if he had landed under that protection he might have returned under it." The court, having taken all the circumstances of his case into consideration, unanimously concurred in opinion "that he ought to be considered as a spy; and that, agreeably to the laws and usages of nations, he ought to suffer death." Sir Henry Clinton, first by amicable negotiation, and afterwards by threats, endeavoured to induce the American commander to spare the life of his friend; but Washington did not think this act of mercy compatible with his duty to his country, and André was ordered for execution. He had petitioned to be allowed to die a soldier's death; but this request could not be granted. Of this circumstance, however, he was kept in ignorance, till he saw the preparations for his final catastrophe, when, finding that the bitterness of his destiny was not to be alleviated as he wished, he exclaimed, "It is but a momentary pang!" and calmly submitted to his fate.

Soon after this sad occurrence, Washington, in writing to a friend, expressed himself in the following terms:—"André has met his fate, and with that fortitude which was to be expected from an accomplished gentleman and a gallant officer; but I am mistaken if Arnold is not undergoing, at this time, the torments of a mental hell." Whatever might be the feelings of the traitor, his treason had its reward. He was immediately appointed brigadier-general in the service of the King of Great Britain; and, on his promotion, he had the folly and presumption to publish an address, in which he avowed, that, being dissatisfied with the alliance between the United States and France, "he had retained his arms and command for an opportunity to surrender them to Great Britain." This address was exceeded in meanness and insolence by another, in which he invited his late companions in arms to follow his ex-

ample. The American soldiers read these manifestoes with scorn; and so odious did the character of a traitor, exemplified in the conduct of Arnold, become in their estimation, that "desertion totally ceased amongst them at this remarkable period of the war\*."

Circumstances, however, took place soon after the discovery of Arnold's treachery, which led that renegade to entertain delusive hopes that the army of Washington would disband itself. The Pennsylvanian troops now serving on the Hudson had been enlisted on the ambiguous terms of "serving three years, or during the continuance of the war." As the three years from the date of their enrolment were expired, they claimed their discharge, which was refused by their officers, who maintained that the option of the two above-mentioned conditions rested with the state. Wearyed out with privations, and indignant at what they deemed an attempt to impose upon them, the soldiers flew to arms, deposed their officers, and under the guidance of others whom they elected in their place, they quitted Morristown and marched to Princeton. Here they were solicited by the most tempting offers on the part of some emissaries sent to them by Sir Henry Clinton, to put themselves under the protection of the British government. But they were so far from listening to these overtures, that they arrested Sir Henry's agents, and, their grievances having been redressed by the interposition of a committee of congress, they returned to their duty, and the British spies, having been tried by a board of officers, were condemned to death and executed.

A similar revolt of a small body of the Jersey line was quelled by the capital punishment of two of the ringleaders of the mutineers. The distresses which were the chief cause of this misconduct of the American soldiery were principally occasioned by the depreciation of the continental currency; which evil, at this period, effected its own cure, as the depreciated paper was by common consent, and without any act of the legislature, put out of use; and by a seasonable loan from France, and by the revival of trade with the French and Spanish West Indies, its place was speedily supplied by hard money.

§ 33. *Campaign of 1781—Defeat of Greene, by Lord Cornwallis.*

Though the Spaniards and the Dutch had united with France in hostility against Britain, she, with dauntless spirit, every where made head against her foreign enemies; and his Majesty's ministers were now, still more than ever, determined, by an extension of combined measures, to reduce the North American provinces to submission. The plan of the campaign of 1781, accordingly, comprehended active operations in the states of New York, Georgia, South Carolina, and Virginia. The invasion of the last mentioned province was entrusted to Arnold, who, taking with him a force of about 1600 men, and a number of armed vessels, sailed up the Chesapeak, spreading terror and devastation wherever he came. An attempt to intercept him was made by the French fleet, which sailed from Rhode Island for that purpose; but after an indecisive engagement with the squadron of Admiral Arbuthnot, off the capes of Virginia, was obliged to return to Newport, leaving the invaded province open to the incursions of the British, who, making occasional advances into the country, destroyed an immense quantity of public stores, and enriched themselves with an extensive plunder of private property, at the same time burning all the shipping in the Chesapeak and its tributary streams, which they could not conveniently carry away as prizes. The Carolinas also suffered severely by the scourge of war. When Gates was superseded in the command of the American forces in that district, he was succeeded by General Greene, to whose charge he transferred the poor remains of his army, which were collected at Charlotte, in North Carolina, and which amounted only to 2000 men. These troops were imperfectly armed and badly clothed; and such was the poverty of their military chest, that they were obliged to supply themselves with provisions by forced requisitions made upon the inhabitants of the adjacent country. In these circumstances, to encounter the superior numbers of the enemy in pitched battle would have been madness. Greene, therefore, resolved to carry on the war as a partisan officer, and to avail himself of every opportunity of harassing the British in detail. The first enterprise which he undertook in prosecution of this system was eminently successful. Understand-

ing that the inhabitants of the district of Ninety-six, who had submitted to the royal authority, were severely harassed by the licensed acts of plunder committed by the king's troops and the loyalists, he sent General Morgan into that quarter with a small detachment, which was, on its arrival, speedily increased by the oppressed countrymen, who were burning for revenge. Lord Cornwallis, who was, at this moment, on the point of invading North Carolina, no sooner heard of this movement, than he sent Lieutenant-Colonel Tarleton with 1100 men, to drive Morgan out of the district. Tarleton was an excellent partisan officer, and had gained great reputation by his superior activity, and by his success in various encounters with detached parties of the republican troops. This success, however, and the superiority of his numbers to those of Morgan's forces, caused him too much to despise the enemy. In pursuance of Lord Cornwallis's orders, he marched in quest of his antagonist, and, on the evening of the 16th of January, 1781, he arrived at the ground which General Morgan had quitted but a few hours before. At two o'clock the next morning he recommenced his pursuit of the enemy, marching with extraordinary rapidity through a very difficult country, and at daylight he discovered the enemy in his front. From the intelligence obtained from prisoners who were taken by his scouting parties, he learned that Morgan awaited his attack at a place called the Cowpens, near Pacolet River. Here the American commander had drawn up his little army, two-thirds of which consisted of militia, in two lines, the first of which was advanced about two hundred yards before the second, with orders to form on the right of the second in case the onset of the enemy should oblige them to retire. The rear was closed by a small body of regular cavalry, and about forty-five mounted militia men. On the sight of this array, Tarleton ordered his troops to form in line. But before this arrangement was effected, that officer, obeying the dictates of valour rather than those of prudence, commenced the attack, heading his squadron in person. The British advanced with a shout, and assailed the enemy with a well-directed discharge of musketry. The Americans reserved their fire till the British were within forty or fifty yards of their ranks, and then poured among them a volley which

did considerable execution. The British, however, undauntedly pushed on and swept the militia off the field. They then assailed the second line, and compelled it to fall back on the cavalry. Here the Americans rallied, and renewed the fight with desperate valour: charging the enemy with fixed bayonets, they drove back the advance, and following up their success, overthrew the masses of their opponents as they presented themselves in succession, and finally won a complete and decisive victory. Tarleton fled from the bloody field, leaving his artillery and baggage in the possession of the enemy. His loss amounted to 300 killed and wounded, and 500 prisoners, whilst that of the Americans was only twelve killed and sixty wounded. Immediately after the action, General Greene sent off his prisoners, under a proper guard, in the direction of Virginia; and as soon as he had made the requisite arrangements, he followed them with his little army. On receiving intelligence of Tarleton's disaster, Lord Cornwallis hastened in pursuit of the retreating enemy, and forced his marches with such effect, that he reached the Catawba River on the evening of the day on which Morgan had crossed it; but here his progress was for a short while impeded, as a heavy fall of rain had rendered the stream impassable. When the waters subsided, he hurried on, hoping to overtake the fugitives before they had passed the Yadkin; but when he had arrived at that river, he found to his mortification that they had crossed it, and had secured the craft and boats which they had used for that purpose on the eastern bank. He therefore marched higher up the stream, till he found the river fordable. Whilst he was employed in this circuitous movement, General Greene had united his forces with those of Morgan, at Guildford Court-house. Still, however, the forces of the American commander were so inferior to those of his pursuers, that, not daring to risk an engagement, he hastened straight onwards to the River Dan; whilst Lord Cornwallis, traversing the upper country, where the streams are fordable, proceeded, in the hope that he might gain upon the enemy, so as to overtake them, in consequence of their being obstructed in their progress by the deep water below. But so active was Greene, and so fortunate in finding the means of conveyance, that he crossed the Dan into Virginia, with his

whole army, artillery, and baggage. So narrow, however, was his escape, that the van of Cornwallis's army arrived in time to witness the ferrying over of his rear.

Mortified as Lord Cornwallis was by being thus disappointed of the fruits of this toilsome march, he consoled himself by the reflection that, the American army being thus driven out of North Carolina, he was master of that province, and was in a condition to recruit his forces by the accession of the loyalists, with whom he had been led to believe that it abounded. He therefore summoned all true subjects of his Majesty to repair to the royal standard, which he had erected at Hillsborough. This experiment had little success. The friends of government were in general timid, and diffident of his lordship's power ultimately to protect them. Their terrors were confirmed, when they learned that the indefatigable Greene had re-crossed the Dan, and had cut off a body of Tories who were on their march to join the royal forces, and that he had compelled Tarleton to retreat from the frontier of the province to Hillsborough. For seven days, the American commander manœuvred within ten miles of the British camp; and at the end of that time, having received reinforcements from Virginia, he resolved to give Lord Cornwallis battle. The engagement took place on the 15th of March, at Guildford. The American army consisted of 4400 men, and the British of only 2400; but notwithstanding this disparity of numbers, disciplined valour prevailed. The American militia gave way with precipitation, and though the regulars fought with spirit, they were obliged to retreat, but only to the distance of three miles. Lord Cornwallis kept the field, but he had suffered such loss in the action, that he was unable to follow up his victory, and soon afterwards marched towards Wilmington, leaving behind him his sick and wounded. On this march he was pursued by Greene as far as Deep River.

§ 34. *Campaign of 1781 continued—Defeat of Lord Rawdon, by General Greene.*

At Wilmington, Lord Cornwallis made a halt for three days, for the purpose of giving his troops some rest; and at the end of that time, resolving to carry the war into Virginia, he marched to Pittsburgh, an inland town

of that province, situated on James River. Hither it was expected that he would have been followed by the enemy; but Greene, being aware that his lordship had by this movement approached nearer to the main army of the Americans, and confident that his motions would be closely watched by the Virginia militia, after mature consideration adopted the bold measure of again penetrating into South Carolina. That province was in the military occupation of the British, who were, indeed, harassed by the partisan troops of Marion and Sumpter, but were in such apparent strength, that there was reason to fear that the republicans, if not aided by further support, would abandon the cause of their country in despair. The British had formed chains of posts, which, extending from the sea to the western extremity of the province, maintained a mutual communication by strong patrols and bodies of horse. The first of these lines of defence was established on the Wateree, on the banks of which river the British occupied the well-fortified town of Camden, and Fort Watson, situated between that place and Charleston. The attack of the fort Greene entrusted to Marion, who soon compelled its garrison to surrender on capitulation. In encountering Lord Rawdon near Camden, Greene was not so fortunate. In consequence of the unsteadiness of a few of his troops, he was defeated, but moved off the ground in such good order, that he saved his artillery, and though wounded, he took up a position, at the distance of about five miles from Camden, from which he sent out parties to intercept the supplies, of which he was apprized that his antagonist was in the utmost need. In consequence of the vigilance of Greene in cutting off his resources, and of the loss of Fort Watson, which had been the link of his communication with Charleston, Lord Rawdon, after having in vain endeavoured to bring on a second general engagement with the Americans, was reduced to the necessity of destroying a part of his baggage, and retreating to the south side of the River Santee. This retrograde movement encouraged the friends of congress to resume their arms, and hasten to reinforce the corps of Marion, who speedily made himself master of the British posts on the Congaree, the garrisons of which were in general made prisoners, whilst those which escaped that fate by a timely evacuation of their positions, made good

their retreat to the capital of the province. Savannah River now presented the last line of defence held by the British, who there possessed the town of Augusta and the post of Ninety-six. The former of those places was attacked by Lieutenant-Colonel Lee, and after a defence of unprecedented obstinacy on the part of its commander, Colonel Brown, it surrendered on honourable terms. The important post of Ninety-six, commanded by Lieutenant-Colonel Cruger, was strongly fortified, and defended by 500 men. On reconnoitring the place, General Greene, whose army was not much more numerous than the garrison, determined to besiege it in form. He accordingly broke ground on the 25th of May, and pushed his works with such vigour, that he had approached within six yards of the ditch, and had erected a mound thirty feet high, from which his riflemen poured their shot with fatal aim upon the opposite parapet of the enemy, who were hourly expected to beat a parley. But this bright prospect of success was at once overclouded by the arrival of intelligence that Lord Rawdon, having received reinforcements from Ireland, was hastening to the relief of his countrymen at the head of 2000 men. In this extremity, Greene made a desperate effort to carry the place by assault, but was repulsed, and evacuating the works which he had constructed with so much labour, he retreated to the northward across the Saluda, from whence he was chased by Lord Rawdon beyond the Ennoree.

The feelings of the American commander on seeing the fruit of his toils thus suddenly and unexpectedly torn from his grasp, must have been of a most agonising nature. But Greene was gifted with an elasticity of spirit which prevented him from yielding to the pressure of misfortune, and his opponents seldom found him more dangerous than immediately after suffering a defeat. On the present occasion, when some of his counsellors, in the moment of despondency, advised him to retreat into Virginia, he firmly replied, that "he would save South Carolina, or perish in the attempt." On maturely deliberating on the object of the campaign, and on the relative situation of himself and the enemy, he was well aware that though Lord Rawdon was superior to him in the number as well as the discipline of his troops; yet, if his lordship kept his army concentrated, he could afford no

encouragement, or even protection, to the royalists, and that if it were divided, it might be beaten in detail. As he expected, the British commander, finding that he could not bring him to an engagement, took the latter course, and withdrawing a detachment from Ninety-six, re-established himself on the line of the Congaree. Within two days, however, after his arrival at the banks of that river, he was astonished to find his indefatigable enemy in his front, with numbers so recruited, that he thought it prudent to decline the battle which was offered him, and retreated to Orangeburgh, where he was joined by Lieutenant-Colonel Cruger, who, in the present circumstances, had thought it expedient to evacuate his post at Ninety-six. On the junction of the forces of these two commanders, Greene retired to the heights above Santee, from whence he sent his active coadjutors, Marion and Sumpter, with strong scouting parties, to interrupt the communication between Orangeburgh and Charleston. As a last effort to maintain their influence in the centre of the province, the British took post in force near the confluence of the Wateree and the Congaree; but on the approach of Greene, they retreated for the space of forty miles, and waited his threatened attack at the Entan Springs. Here an obstinate engagement took place, in which the British were defeated with the loss of 1100 men, and were compelled to abandon the province to the republicans, and take shelter in Charleston. Of all the incidents of the American revolutionary war, the most brilliant is this campaign of General Greene. At the head of a beaten army, undisciplined, and badly equipped, he entered the province of South Carolina, which was occupied, from its eastern to its western extremity, by an enemy much superior to him in numbers, in appointments, and in military experience. But by his genius, his courage, and his perseverance, he broke through their lines of operation, drove them from post to post, and though defeated in the field, he did not cease to harass them in detail, till he had driven them within the fortifications of the capital. Well did he merit the gold medal and the British standard bestowed upon him by a vote of congress for his services on this occasion. By his successes he revived the drooping spirits of the friends of independence in

the southern states, and prepared the way for the final victories which awaited the arms of his country in Virginia, and which led to the happy termination of the war.

Whilst the American commander was enjoying the honours bestowed upon him by his grateful countrymen as the just meed of his valour and skill in arms, Lord Rawdon, soon after his return to Charleston, by an example of severity brought odium on the British cause, and fired the breasts of the continentals with indignation. Amongst the American officers who distinguished themselves in the defence of South Carolina was Colonel Haynes, a gentleman of fortune, and of considerable influence in his neighbourhood. After the capitulation of Charleston, Haynes voluntarily surrendered himself to the British authorities, requesting to be allowed his personal liberty on his parole. This indulgence, usually granted to officers of rank, he could not obtain; and was told that he must either take the oath of allegiance to his Britannic Majesty, or submit to close confinement. In an evil hour, induced by family considerations, he chose the former alternative, and signed a declaration of fealty to George III, protesting, however, against the clause which required him to support the royal government with arms; which clause the officer who received his submission assured him it was not intended to enforce. The officer in question no doubt in this assurance exceeded his authority, and Haynes was time after time summoned to join the royal standard. Regarding this as a breach of the contract into which he had entered with the British, he again took up arms on the side of independence, and having been taken prisoner in a skirmish with part of the royal forces, he was, without the formality of a trial, ordered for execution by Lord Rawdon. To the petitions of this unfortunate officer's children, as well as those of the inhabitants of Charleston, his lordship turned a deaf ear, and Haynes suffered death as a rebel and a traitor. Though the death of this gallant soldier may be vindicated by the strictness of the law, its policy was, in the existing circumstances, extremely questionable.

§ 35. *Further Events of the Campaign —Preparations for the Siege of New York.*

It has already been related that, after

defeating General Greene at Guildford, Lord Cornwallis marched to Petersburg, in Virginia. His lordship did not take this step without hesitation. He well knew the enterprising character of his opponent, and was aware of the probability of his making an incursion into South Carolina. He flattered himself, however, that the forces which he had left in that province under the command of Lord Rawdon would suffice to keep the enemy in check. In this idea he was confirmed by the result of the battle of Camden, and by the receipt of intelligence that three British regiments, which had sailed from Cork, might be expected speedily to arrive at Charleston. No longer anxious, therefore, for the fate of South Carolina, he determined to march forwards, in the confident hope of increasing his military renown by the conquest of Virginia. He accordingly advanced with rapidity from Petersburg to Manchester, on James River, with a view of crossing over from that place to Richmond, for the purpose of seizing a large quantity of stores and provisions, which had been deposited there by the Americans. But on his arrival at Manchester, he had the mortification to find that, on the day before, this depot had been removed by the Marquis de la Fayette, who, at the command of congress, had hastened from the Head of Elk to oppose him. Having crossed James River at Westown, his lordship marched through Hanover County to the South Anna River, followed at a guarded distance by the marquis, who, in this critical contingency, finding his forces inferior to those of the enemy, wisely restrained the vivacity which is the usual characteristic of his age and country. But having effected a junction with General Wayne, which brought his numbers nearly to an equality with those of the British, and having once more, by a skilful manœuvre, saved his stores, which had been removed to Albemarle old courthouse, he displayed so bold a front, that the British commander fell back to Richmond, and thence to Williamsburgh. On his arrival at the latter place, Lord Cornwallis received despatches from Sir Henry Clinton, requiring him instantly to send from his army a detachment to the relief of New York, which was threatened with a combined attack by the French and the Americans. The consequent diminution

of his force induced his lordship to cross James River, and to march in the direction of Portsmouth. Before, however, the reinforcements destined for New York had sailed, he received counter-orders and instructions from Sir Henry Clinton, in pursuance of which he conveyed his army, amounting to 7000 men, to York Town, which place he proceeded to fortify with the utmost skill and industry.

The object of Lord Cornwallis in thus posting himself at York Town, was to co-operate in the subjugation of Virginia with a fleet which he was led to expect would about this time proceed from the West Indies to the Chesapeak. Whilst his lordship was anxiously looking out for the British penants, he had the mortification, on the 30th of August, to see the Count de Grasse sailing up the bay with twenty-eight sail of the line, three of which, accompanied by a proper number of frigates, were immediately despatched to block up York River. The French vessels had no sooner anchored, than they landed a force of 3200 men, who, under the command of the Marquis de St. Simon, effected a junction with the army of La Fayette, and took post at Williamsburg. Soon after this operation, the hopes of the British were revived by the appearance off the Capes of Virginia, of Admiral Graves, with twenty sail of the line,—a force which seemed to be competent to extricate Lord Cornwallis from his difficult position. These hopes, however, proved delusive. On the 7th of September, M. de Grasse encountered the British fleet, and a distant fight took place, in which the French seemed to rely more on their manœuvring than on their valour. The reason of this was soon apparent. In the course of the night which followed the action, a squadron of eight line-of-battle ships safely passed the British, and joined De Grasse, in consequence of which accession of strength to the enemy, Admiral Graves thought it prudent to quit that part of the coast, and retire to New York. This impediment to their operations having been removed, the Americans and French directed the whole of their united efforts to the capture of York Town.

This had not, however, been the original design of General Washington at the commencement of the campaign. Early in the spring he had agreed with Count Rochambeau to lay siege to New

York, in concert with a French fleet which was expected to reach the neighbourhood of Staten Island in the month of August. He had accordingly issued orders for considerable reinforcements, especially of militia, to join his army in proper time to commence the projected operations. The French troops under Rochambeau having arrived punctually at his encampment near Peek's Kill, General Washington advanced to King's Bridge, and hemmed in the British in York Island. Every preparation seemed to be now in forwardness for the commencement of the siege; but the militia came in tardily. The adjacent states were dilatory in sending in their quotas of troops; and whilst he was impatiently awaiting their arrival, Washington had the mortification to receive intelligence that Clinton had received a reinforcement of 3000 Germans. Whilst his mind was agitated by disappointment, and chagrined by that want of zeal on the part of the middle states which he apprehended could not but bring discredit on his country, in the estimation of his allies, he was relieved from his distress by the news of the success of Greene in driving Lord Cornwallis into York Town; and at the same time learning that the destination of Count de Grasse was the Chesapeake, and not Staten Island, he resolved to transfer his operations to the state of Virginia. Still, however, he kept up an appearance of persevering in his original intention of making an attack upon New York, and in this feint he was aided by the circumstance, that when this was in reality his design, a letter, in which he had detailed his plans for its prosecution, had been intercepted, and read by Sir Henry Clinton. When, therefore, in the latter end of August, he broke up his encampment at Peek's Kill, and directed his march to the south, the British commander, imagining that this movement was only a stratagem calculated to throw him off his guard, and that the enemy would speedily return to take advantage of his expected negligence, remained in his quarters, and redoubled his exertions to strengthen his position. In consequence of this error, he lost the opportunity of impeding the march of the allied army, and of availing himself of the occasions which might have presented themselves of bringing it to action before it could effect a junction with the troops already assembled in the vicinity of York Town. Thus marching onwards

without molestation, General Washington reached Williamsburgh on the 14th of September, and immediately on his arrival, visiting the Count de Grasse on board his flag-ship, the Ville de Paris, settled with him the plan of their future operations.

§ 36. *Siege of York Town—Surrender of Lord Cornwallis.*

In pursuance of this arrangement, the combined forces, to the amount of 12,000 men, assembled at Williamsburgh, on the 25th of September; and on the 30th of the same month marched forward to invest York Town, whilst the French fleet, moving to the mouth of York River, cut off Lord Cornwallis from any communication with a friendly force by water. His lordship's garrison amounted to 7000 men, and the place was strongly fortified. On the right it was secured by a marshy ravine, extending to such a distance along the front of the defences as to leave them accessible only to the extent of about 1500 yards. This space was defended by strong lines, beyond which, on the extreme left, were advanced a redoubt and a bastion, which enfiladed their approach to Gloucester Point, on the other side of York River, the channel of which is here narrowed to the breadth of a mile, which post was also sufficiently garrisoned, and strongly fortified. Thus secured in his position, Lord Cornwallis beheld the approach of the enemy with firmness, especially as he had received despatches from Sir Henry Clinton, announcing his intention of sending 5000 men in a fleet of twenty-three ships of the line to his relief.

The allied forces on their arrival from Williamsburgh immediately commenced the investiture both of York Town and of Gloucester Point; and on the 10th of October they opened their batteries with such effect, that their shells, flying over the town, reached the shipping in the harbour, and set fire to the Charon frigate, and to a transport. On this inauspicious day, too, Lord Cornwallis received a communication from Sir Henry Clinton, conveying to him the unwelcome intelligence that he doubted whether it would be in his power to send him the aid which he had promised.

On the following morning the enemy commenced their second parallel, and finding themselves, in this advanced position, severely annoyed by the bastion and redoubt which have been mentioned

above, they resolved to storm them. The reduction of the former of these works was committed to the French, whilst the attack of the latter was entrusted to the Americans. Both parties rushing to the assault with the spirit of emulation which this arrangement was calculated to inspire, the works in question were speedily carried at the point of the bayonet.

It must be mentioned to the honour of the American soldiers, that though in revenge for a massacre recently committed at New London, in Connecticut, by a body of troops under the command of the renegade Arnold, they had been ordered to take no prisoners, they forebore to comply with this requisition, and when they had penetrated into the redoubt, spared every man who ceased to resist. On the 16th of October, a sally was made from the garrison, but with indifferent success; and Lord Cornwallis was now convinced that he could avoid surrender only by effecting his escape by Gloucester Point. Seeing himself therefore reduced to the necessity of trying this desperate expedient, he prepared as many boats as he could procure, and on the night of the 16th of October attempted to convey his army over York River to the opposite promontory. But the elements were adverse to his operations. The first division of his troops was disembarked in safety; but when the second was on its passage, a storm of wind and rain arose, and drove it down the river.

Though this second embarkation worked its way back to York Town on the morning of the 17th, Lord Cornwallis was convinced, however unwillingly, that protracted resistance was vain. No aid appeared from New York—his works were ruined—the fire from the enemy's batteries swept the town; and sickness had diminished the effective force of the garrison. In these painful circumstances, nothing remained for him but to negotiate terms of capitulation. He accordingly sent a flag of truce, and having agreed to give up his troops as prisoners of war to congress, and the naval force to France, he, on the 19th of October, marched out of his lines with folded colours; and proceeding to a field at a short distance from the town, he surrendered to General Lincoln, with the same formalities which had been prescribed to that officer at Charleston, eighteen months before. Another coincidence

was remarked on this occasion. The capitulation under which Lord Cornwallis surrendered was drawn up by Lieutenant-Colonel Laurens, whose father had filled the office of president of congress, and having been taken prisoner when on his voyage to Holland, in quality of ambassador from the United States to the Dutch Republic, had been consigned, under a charge of high treason, to a rigorous custody in the Tower of London, of which fortress his lordship was constable.

Had Lord Cornwallis been able to hold out five days longer than he did, he might possibly have been relieved; for on the 24th of October, a British fleet, conveying an army of 7000 men, arrived off the Chesapeake; but finding that his lordship had already surrendered, this armament returned to New York and Sandy Hook.

### § 37. *Provisional Treaty of Peace, 30th November, 1782.*

It was with reason that the congress passed a vote of thanks to the captors of York Town, and that they went in procession, on the 24th of October, to celebrate the triumph of their arms, by expressing, in the solemnities of a religious service, their gratitude to Almighty God for this signal success. The surrender of Lord Cornwallis was the virtual termination of the war. From this time forward, to the signature of the treaty of peace, the British were cooped up in New York, Charleston, and Savannah. From these posts they now and then, indeed, made excursions for the purpose of foraging and plunder; but being utterly unable to appear in force in the interior of the country, they found themselves incompetent to carry on any operations calculated to promote the main object of the war—the subjugation of the United States. Perseverance, however, still seemed a virtue to the British cabinet. Immediately after the arrival of the intelligence of the capture by the Americans of a second British army, George III. declared, in a speech to parliament, "that he should not answer the trust committed to the sovereign of a free people, if he consented to sacrifice, either to his own desire of peace, or to their temporary ease and relief, those essential rights and permanent interests, upon the maintenance and preservation of which the future strength and security of the country must for ever depend." When called

upon in the House of Commons for an explanation of this vague and assuming language, Lord North avowed that it was the intention of ministers to carry on in North America "a war of posts;" and such was, at that moment\*, the state of the house, that, in despite of the eloquence of Mr. Fox, who laboured to demonstrate the absurdity of this new plan, a majority of 218 to 129 concurred in an address which was an echo of his majesty's speech. But the loud murmurs of the people, groaning beneath the weight of taxation, and indignant under a sense of national misrule, at length penetrated the walls of the senate-house. Early in the year 1782, motion after motion was made in the House of Commons, expressive of the general wish for the termination of hostilities with the United States. The minister held out with obstinacy, though, on each renewal of the debate, he saw his majority diminish; till at length, on the 27th of February, on a motion of General Conway, expressly directed against the further prosecution of offensive war on the continent of North America, he was left in a minority of nineteen. This victory was followed up by an address from the house to his majesty, according to the tenor of General Conway's motion. To this address so equivocal an answer was returned by the crown, that the friends of pacification deemed it necessary to speak in still plainer terms; and on the 4th of March, the House of Commons declared, that whosoever should advise his majesty to any further prosecution of offensive war against the colonies of North America should be considered as a public enemy. This was the death-blow to Lord North's administration. His lordship retired from office early in the month of March, and was succeeded by the Marquis of Rockingham, the efforts of whose ministry were as much and as cordially directed to peace as those of Lord Shelburne's. On the death of the Marquis, which took place soon after he had assumed the reins of government, the Earl of Shelburne was called on to preside over his Majesty's councils, which, under his auspices, were directed to the great object of pacification. To this all the parties interested were well inclined. The English nation was weary of a civil war in which it had sustained so many discomfitures. The king of France,

who had reluctantly consented to aid the infant republic of North America, was mortified by the destruction of the fleet of De Grasse, in the West Indies, and found the expenses of the war press heavily on his finances. The Spaniards were disheartened by the failure of their efforts to repossess themselves of Gibraltar; and the Dutch were impatient under the suspension of their commerce. Such being the feelings of the belligerents, the negociations for a peace between Great Britain and the United States were opened at Paris, by Mr. Fitzherbert and Mr. Oswald on the part of the former power, and by John Adams, Doctor Franklin, John Jay, and Henry Laurens, on behalf of the latter. These negociations terminated in provisional articles of peace, which were signed on the 30th November, 1782. By this important instrument, the independence of the thirteen provinces was unreservedly acknowledged by his Britannic Majesty, who moreover conceded to them an unlimited right of fishing on the banks of Newfoundland and the River St. Lawrence, and all other places where they had been accustomed to fish. All that the British plenipotentiaries could obtain for the American loyalists was, a provision that congress should earnestly recommend to the legislatures of the respective states the most lenient consideration of their ease, and a restitution of their confiscated property.

### § 38. Conclusion.

Thus terminated the American revolutionary war—a war which might have been prevented by the timely concession of freedom from internal taxation, as imposed by the British parliament, and by an abstinence on the part of the Crown from a violation in this important particular of chartered rights. The confidential letters of Doctor Franklin evince that it was with extreme reluctance the American patriots adopted the measure of severing the colonies from the mother country. But when they had taken this decisive step, by the declaration of independence, they firmly resolved to abide by the consequences of their own act; and, with the single exception of Georgia, never, even in the most distressful contingencies of the war, did any public body of the provinces shew any disposition to resume their allegiance to the king of Great Britain. Still, it may be a matter of doubt if, when we consider the conduct

of the inhabitants of the Jerseys, when Washington was flying before General Howe, whether, had the British commanders restrained their troops with the strictness of discipline, and exercised towards the American people the conciliatory spirit evinced in Canada by Sir Guy Carleton, the fervor of resistance might not have been abated and subdued. But civil wars are always conducted with cruelty and rancour. The Americans were treated by the British soldiery not as enemies entitled to the courtesies of war, but as rebels, whose lives and property lay at the mercy of the victors. Hence devastation marked the track of the invading forces, while the inhabitants found their truest safety in resistance, and their best shelter in the republican camp. Nor will he who reads with attention the minute details of this eventful contest be surprised, that the British ministry persevered in the war when success might have appeared to be hopeless. It is now well known that George III. revolted from the idea of concession to his disobedient subjects, and was determined to put all to the hazard, rather than acknowledge their independence. Lord North, at an early period of the war, had misgivings as to its ultimate success, but he had not firmness enough to give his sovereign unwelcome advice; whilst Lord George Germaine and the other ministers fully sympathised with the royal feelings, and entered heartily into the views of their master. They were apprised, from time to time, of the destitute condition of the American army, but living as they did in luxury, and familiarized as they were with the selfishness and venality of courts and political parties, they could not conceive the idea of men sacrificing health, property, and life, for their country's good. When Washington was beaten in the field, such men imagined that the affairs of the congress were desperate, and flattered themselves that the great body of the colonists, wearied and disheartened by successive defeats, would be glad to accept the royal mercy, and to return to their allegiance. In these notions they were confirmed by the loyalists, who, giving utterance to their wishes, rather than stating the truth, afforded the most incorrect representations of the feelings and temper of their countrymen. Some of these coming over to England were received with favour in high circles, and

by their insinuations kept up to the last a fatal delusion. These individuals at length fell the victims of their own error. Traitors to their country, they lost their property by acts of confiscation, and while they lived on the bounty of the British crown, they had the mortification to see the country which they had deserted, rise to an exalted rank amongst the nations of the earth.

It must also be admitted that the people of England sympathized with their Government up to a late period, in the feelings which prompted perseverance in this iniquitous war. Excessive loyalty to the Crown; a certain undefined appetite for military achievements; resentment against the Americans for questioning British supremacy, strongly impressed the public mind, and rendered the war disgracefully popular in many quarters. Such sentiments were fostered and encouraged by the accession of France, Spain, and Holland to the cause of her revolted states, and the prospect of naval victories. We may reasonably indulge the hope, that the lesson then, and during the French revolutionary war, taught by experience, and the subsequent improvement of the public mind, will prevent it from ever again joining its government in such a conspiracy against freedom and justice.

When the ministers of the king of France incited their master to enter into an alliance with the revolted colonies, they did so under the idea that the separation of those provinces from the parent state would ruin the resources of Great Britain. Events have proved how erroneous was their calculation. From her commercial intercourse with Independent America, Great Britain has derived more profit than she could have gained had her growth been stunted by the operation of restrictive laws. In a constitutional point of view, also, the disjunction of the thirteen provinces from the British empire will not be contemplated with any regret by those who are jealous of the influence of the crown, and who will reflect that, by the peace of 1783, it was deprived of the appointment of a host of governors, lieutenant-governors, chief justices, and other officers, selected from the scions of powerful families, and protected from the consequences of the abuse of their trusts by the influence of those whose dependants they are.



## NOTE.

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SOME doubts having arisen as to whether the question which led to the separation of the colonies from the mother-country was really confined to the point of taxation, and did not also involve the claim of Parliament to legislate generally for the colonies, the introduction into this note of a plain statement of the fact and the law may not be thought superfluous.

It will be clearly seen by a reference to the preceding narrative, that in the lengthened discussions which were carried on prior to the breaking out of hostilities, the point at issue was the right of Parliament to tax the colonies, and not its general power of legislation for them. This power no one seems at that time to have thought of questioning for a moment; though all the colonies united in strenuously maintaining the exclusive right of taxing themselves, which they had enjoyed by charter and by constant usage. This was also the view of the subject uniformly taken by the parliamentary advocates of the American colonies; and had it not been deemed constitutionally sound, the colonies, jealous as they were of their political rights, would not have been content silently to acquiesce in it. "I assert" said Lord Chatham on the 17th December, 1765, "I assert the authority of this country over the colonies to be sovereign and supreme, in every circumstance of government and legislation." But he added, "Taxation is no part of the governing or legislating power,—taxes are a voluntary grant of the people alone."

Such was then the undisputed theory and practice of the constitution, even as recognised by the colonies themselves.

But it has been supposed that although, prior to the revolution, the colonies never questioned the supreme legislative authority of the mother-country, yet that parliament had by some act of its own divested itself of this authority. This, however, is not the case. On the contrary, the Act of 6 Geo. III. c. 12, commonly called the *Declaratory Act*, distinctly lays it down as the law of the realm, "that the King, Lords, and Commons in Parliament assembled, had, hath, and of full right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind, in all cases whatsoever, the colonies subject to the British crown."

The Act remains unrepealed, and is still in full force, with one single exception from the universality of its declaration, which will be found in the 18th *George III.* c. 12. A clause in this statute enacts, that from and after its passing, the king and parliament will not impose any duty or tax on the colonies, except such as may be required for the regulation of commerce, and that the net produce of such duty or tax shall be applied to the use of each colony respectively in which it is levied, in such manner as the other duties collected by the authority of the assemblies of such colonies are applied.

That the practice of parliament has been in accordance with the principle of these declaratory enactments might be shewn by a reference to numerous statutes subsequently enacted, which directly legislate for the colonies.

The authority of Mr. Burke may be added, as that of the person most jealous on the subject of colonial rights, for he, in fact, was the parliamentary leader throughout the contest against the rights of the mother-country, and sacrificed his seat at Bristol to his opinions in favour of the colonies. But in his celebrated speech on American taxation in 1774, he expressly maintains the supremacy of parliament, and the full extent of the rights claimed by the *Declaratory Act*, to which he holds the abandonment of the taxing power no exception. This forms the conclusion of the speech. (See Works, vol. ii, pp. 435 and 440, 8vo edition.) The same doctrines he continued to hold in 1775, when he renewed his resolutions of conciliation, and in 1780, when he retired from the representation of Bristol. In his famous speech upon the former occasion, he declares himself to wish as little as any man being to impair the smallest particle of the supreme authority of parliament (Works, vol. iii, p 109), and in 1792, when he had become, if possible, more attached to the colonial party, both here and in France, he prepared a slave code, to be enacted in England for our West India colonies.

This statement proves, first, that the mother-country never abandoned the legislative authority, except as regards the right of taxation; and secondly, that the colonists never even claimed any further exemption from the jurisdiction of Parliament.

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